California Regional Water Quality Control Board

Central Coast Region

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Alan C. Lloyd, Ph.D.
Agency Secretary

Arnold Schwarzenegger
Governor

ORDER NO. R3-2006-0012
NPDES NO. CA0048941

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order (Order No. R3-2006-0012):

Discharger	Heritage Ranch Community Services District
Name of Facility	Heritage Ranch Community Services District Wastewater Treatment Plant
Facility Address	4870 Heritage Road Paso Robles, CA 93446 San Luis Obispo County

The Discharger is authorized to discharge from the following discharge points as set forth below:

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Treated Domestic Wastewater	35 ° 43 ' 51 " N	120 ° 50 ' 21 " W	Unnamed Ephemeral Drainage, Tributary to the Nacimiento River

This Order was adopted by the Central Coast Regional Water Quality Control Board (Regional Water Board) on:	March 24, 2006
This Order shall become effective on:	April 1, 2006
This Order shall expire on:	March 31, 2011
The Regional Water Board and the U.S. Environmental Protection Agency (U.S. EPA) have classified this discharge as a minor discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, no later than 180 days in advance of the Order expiration date, as an application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. 01-006 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (Water Code) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Roger W. Briggs, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on March 24, 2006.

Roger W. Briggs
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 3, CENTRAL COAST REGION

ORDER NO. R3-2006-0012
NPDES NO. CA0048941

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order.

Discharger	Heritage Ranch Community Services District
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Facility Address	4870 Heritage Road Paso Robles, CA 93446 San Luis Obispo County
Facility Contact, Title, Phone Number	John D'Ornellas, General Manager, 805-227-6230
Mailing Address	4870 Heritage Road, Paso Robles, CA 93446
Type of Facility	Domestic Wastewater Treatment Plant
Facility Design Flow	0.4 MGD (monthly average)

II. FINDINGS

The California Regional Water Quality Control Board, Central Coast Region, finds:

A. **Background.** The Heritage Ranch Community Services District (hereafter Discharger) is currently discharging pursuant to Waste Discharge Requirements Order No. 01-006 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048941. The Discharger submitted a Report of Waste Discharge, dated July 7, 2005, and applied to renew its NPDES permit to discharge up to 0.4 million gallons per day (MGD, 30-day average) of treated wastewater from the Heritage Ranch Community Services District Wastewater Treatment Plant.

B. **Facility Description.** The Discharger owns and operates a domestic wastewater collection system and treatment facility. The collection system currently serves approximately 3,760 residential users. Wastewater handling and treatment includes two aerated lagoons, chlorination, an effluent storage lagoon, percolation/evaporation ponds, and sand filtration. Treated wastewater is discharged from Discharge Point 001 to an unnamed ephemeral drainage that is tributary to the Nacimiento River, waters of the United States within the Paso Robles Sub-Area of the Salinas Hydrologic Unit. Attachment B provides a topographic map of the area around the facility. Attachment C provides a flow schematic of the facility.

C. **Legal Authorities.** This Order is issued pursuant to CWA Section 402 and implementing regulations adopted by the U.S. EPA and Water Code Chapter 5.5, Division 7. It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Water Code Article 4, Chapter 4 for discharges that are not subject to regulation under CWA Section 402.

D. **Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the Report of Waste Discharge, through monitoring and reporting programs, and through special studies. Attachments A through F, which contain background information and rationale for Order requirements, are hereby incorporated into this Order and, thus, constitute part of the Findings for this Order.

E. **California Environmental Quality Act (CEQA).** This action to adopt an NPDES permit is exempt from the provisions of CEQA (Public Resources Code Section 21100, et seq.) in accordance with Water Code Section 13389.

F. **Technology-Based Effluent Limitations.** NPDES regulations at 40 CFR 122.44 (a) require that permits include applicable technology-based limitations and standards. This Order includes technology-based effluent limitations based on standards for the secondary treatment of wastewater established at 40 CFR Part 133 and/or based on best professional judgment pursuant to CWA Section 402 (a) (1) (B). The Regional Water Board has considered the factors listed at 40 CFR 125.3 (c) and (d) for establishing technology-based limitations using best professional judgment. Discussion of the development of the

technology-based effluent limitations of this Order is included in the Fact Sheet (Attachment F).

G. **Water Quality-Based Effluent Limitations.** NPDES regulations at 40 CFR 122.44 (d) require permits to include water quality-based effluent limitations (Water Quality Limitations) to attain and maintain applicable numeric and narrative water quality criteria in order to protect the beneficial uses of receiving waters. Where numeric water quality objectives have not been established, in accordance with 40 CFR 122.44 (d), Water Quality Limitations may be established using calculated numeric water quality criteria; using U.S. EPA water quality criteria established under CWA Section 304 (a); or using an indicator parameter for the pollutant of concern.

H. **Water Quality Control Plans.** The Regional Water Board adopted a *Water Quality Control Plan for the Central Coast Region* (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. Beneficial uses for specific surface waters in the Central Coast Region are presented in Table 2-1 of the Basin Plan. Surface waters that do not have beneficial uses designated for them by Table 2-1, including the unnamed ephemeral drainage, which is the immediate receiving water for this discharge, are assigned the following beneficial uses.

Outfall	Receiving Water Name	Beneficial Use(s)
001	Unnamed ephemeral drainage, which is the immediate receiving water and tributary to the Nacimiento River	• Municipal and domestic water supply • Protection of recreation and aquatic life

Groundwater throughout the Central Coast Region is suitable for agricultural, municipal, domestic, and industrial water supply uses.

The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (the Thermal Plan) on May 18, 1972 and amended this plan on September 18, 1975. The Thermal Plan contains temperature objectives for inland surface waters.

The Requirements of this Order specifically implement the applicable Water Quality Control Plans described above.

I. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** On December 22, 1992, and May 18, 2000, the U.S. EPA adopted the NTR and CTR, respectively. These rules include numeric water quality criteria for priority toxic pollutants and are applicable to this discharge.

J. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP establishes procedures to implement water quality criteria of the NTR and CTR as well as water quality objectives contained in the Basin Plan. The SIP requires dischargers to submit sufficient

data to determine the need for Water Quality Limitations, and it establishes procedures for determining that need and for calculating Water Quality Limitations, when necessary. With respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR, the SIP became effective on April 28, 2000; and with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the CTR, the SIP became effective on May 18, 2000.

K. **Compliance Schedules and Interim Requirements.** At 40 CFR 122.47, NPDES regulations allow the inclusion of compliance schedules in NPDES permits to achieve compliance with the CWA and its implementing regulations. Compliance with NPDES permit limitations must be required as soon as possible and not later than any applicable statutory deadline. At 40 CFR 123.25, NPDES regulations require that state programs have the authority to implement these provisions regarding compliance schedules but allow such provisions to be omitted or modified so that a state may impose more stringent requirements.

The CTR, at 40 CFR 131.38 (e), also addresses compliance schedules, permitting an existing discharger to request a schedule of compliance, when the discharger reasonably believes that it is infeasible to promptly comply with new or more restrictive Water Quality Limitations derived from CTR or NTR water quality criteria. Such a compliance schedule must be as short as possible taking into account the discharger's technical ability to achieve compliance with the Water Quality Limitations. If the compliance schedule exceeds one year, interim requirements and dates for their achievement, not exceeding one-year intervals, are required. In no circumstances may a compliance schedule exceed five years from the date of permit issuance; and if a schedule of compliance exceeds the permit term, interim limitations are required. Although all provisions in the CTR regarding compliance schedules expired on May 18, 2005, the U.S. EPA permitted the State or Regional Water Quality Control Boards to adopt their own rules to address compliance schedules for Water Quality Limitations derived from CTR and NTR criteria. In such circumstances, the State and/or the Regional Boards' rules would be effective despite the CTR's sunset provision. The State Water Board, in the SIP, has adopted rules pertaining to compliance schedules.

Section 2.1 of the SIP, which addresses the discharge of toxics with water quality criteria established by the NTR, CTR and the Basin Plan, provides that, based on a discharger's request and demonstration that it is infeasible to achieve immediate compliance with effluent limitations, compliance schedules may be allowed in an NPDES permit. Unless an exception is granted pursuant to Section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that a permit is issued or reissued, and in no case may it extend beyond 10 years from the effective date of the SIP (or beyond May 18, 2010) to attain compliance with final effluent limitations. When a compliance schedule for an effluent limitation exceeds one year, the Order must include interim numeric limitations for that pollutant.

L. **Anti-degradation Policy.** NPDES regulations at 40 CFR 131.12 establish an anti-degradation policy and require State water quality standards to include an anti-degradation policy consistent with that federal policy. The State Water Board established California's anti-degradation policy in State Water Board Resolution 68-16, requiring that existing

quality of receiving waters be maintained unless degradation is justified based on specific findings. As discussed in the Fact Sheet (Attachment F), the permitted discharge is consistent with the anti-degradation provisions of 40 CFR 131.12 and State Water Board Resolution 68-16.

M. **Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits; i.e., effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. Order No. R3-2006-0012 complies with all Anti-Backsliding requirements, as all effluent limitations in this Order are at least as stringent as the effluent limitations in Order No. 01-006.

N. **Monitoring and Reporting.** NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code Sections 13267 and 13383 authorize the Regional Boards to require technical and monitoring reports. The Regional Water Board requires the Heritage Ranch Community Services District to submit monitoring and technical reports in accordance with California Water Code Section 13267 to determine if the discharge complies with the conditions contained in this Order. More detailed information is available in the Regional Board's public file on this matter. The attached Monitoring and Reporting Program (Attachment E) establishes monitoring and reporting requirements to implement federal and State requirements.

O. **Standard and Special Provisions.** Standard NPDES provisions, established at 40 CFR 122.41 and 122.42 and applicable to all discharges, must be included in every NPDES permit and are included in Attachment D. The Regional Board has also included in this Order special provisions applicable to the Discharger. Rationale for these special provisions is provided in the attached Fact Sheet (Attachment F).

P. **Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet (Attachment F) of this Order.

Q. **Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the public hearing are provided in the Fact Sheet (Attachment F) of this Order.

III. DISCHARGE PROHIBITIONS

A. The discharge of any waste not specifically regulated by this Order, excluding storm water regulated by General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities) is prohibited.

B. Discharge of treated wastewater at a location other than Discharge Point 001 (35°, 43', 51" N Latitude and 120°, 50', 21" W Longitude), as described by this Order, is prohibited, unless the discharge is regulated by General Permit No. CAS000001 or other Waste Discharge Requirements or NPDES Permit.

C. The discharge of wastewater by seepage or percolation through units of the wastewater treatment system is prohibited. The Discharger shall achieve compliance with this discharge prohibition by constructing, repairing, and/or maintaining evaporation pond liners with hydraulic conductivities of less than or equal to 1×10^{-6} cm / second in accordance with the compliance schedule described in Section VI. C. 5 of this Order.

D. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.

E. Creation of a condition of pollution, contamination, or nuisance, as defined by Water Section 13050, is prohibited.

F. The discharge shall not cause or contribute to adverse impacts to beneficial uses of groundwater or surface water or to threatened or endangered species and their habitat.

G. Storm water drainage from the site of the wastewater treatment facilities shall be diverted away or otherwise excluded from wastewater treatment and storage facility treatment lagoons, sand filter, storage ponds, and evaporation ponds.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

a. The discharge of treated wastewater shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location M-001, as described in the attached Monitoring and Reporting Program (Attachment E).

Parameter	Units	Effluent Limitation		
		Average Monthly	Average Weekly	Maximum Daily
Flow	MGD	0.4	-	-
BOD_5 [a]	mg/L	30	45	90
	lbs/day	100	150	300
	kg/day	45	68	136
TSS [b]	mg/L	30	45	90
	lbs/day	100	150	300
	kg/day	45	68	136
Settleable Solids	ml/L	-	-	0.1
Oil and Grease	mg/L	10	-	20
pH	--	6.5 – 8.3 at all times		
Nitrate	mg/L (as N)	-	-	8.0
Chlorine	mg/L	-	-	ND [c]
Acute Toxicity	% survival			See below [d]
Copper [e]	µg/L	9.0	-	18
Mercury [e]	µg/L	0.05	-	0.10
4,4 – DDD [e]	µg/L	0.00059	-	0.0019

[a] BOD_5 = 5-day biochemical oxygen demand at 20° C

[b] TSS = total suspended solids

[c] ND = not detected by amperometric titration or an equally sensitive method

[d] Survival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test, to the survival of control organisms.

e These are final effluent limitations that become effective four years after adoption of this Order, if an additional year of quarterly sampling quantifies mercury or 4,4 – DDD above its applicable water quality criterion, in accordance with the compliance schedules established by Section VI. C. 5 of this Order.

b. The average monthly percent removal of BOD_5 and TSS through the wastewater treatment facility shall not be less than 85 percent.

c. Treated wastewater shall be continuously disinfected so that the median number of total coliform bacteria in discharges from Discharge Point 001 shall not exceed 23 organisms per 100 milliliters (ml), as determined from the last seven days for which analyses have been completed. The maximum number of total coliform organisms shall not exceed 2,400 organisms per 100 ml at any time.

e. At least two feet of freeboard shall be maintained in the aerated lagoons, the effluent storage lagoon, and in the evaporation beds at all times.

2. Interim Effluent Limitations – Discharge Point 001

The discharge of treated wastewater at Discharge Point 001 shall comply with the following interim effluent limitations until final effluent limitations for these pollutants become effective in accordance with the compliance schedule described by Section VI. C. 5 of this Order.

Pollutant	Average Monthly Effluent Limitation
Copper	25 µg/L
Mercury	0.07 µg/L
4,4- DDD	0.03 µg/L

C. Reclamation Specifications

This section of the standardized permit form is not applicable to the Heritage Ranch Community Services District.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause a violation of the following receiving water limitations in the unnamed ephemeral drainage, which is tributary to the Nacimiento River, or in the Nacimiento River.

1. Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater.

2. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin that cause nuisance or adversely affect beneficial uses.

3. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

4. Waters shall not contain suspended material in concentrations that causes nuisance or adversely affects beneficial uses.

5. Waters shall not contain settleable material in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses.

6. Waters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.

7. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.

8. The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

9. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.

10. The pH value shall not be depressed below 7.0 nor raised above 8.3, nor shall changes in ambient pH levels exceed 0.5 pH units.

11. Dissolved oxygen concentration shall not be reduced below 5.0 mg/l at any time. Median values should not fall below 85 percent saturation as a result of controllable water quality conditions.

12. Natural temperature of receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses.

13. All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions, shall not be less than that for the same water body in areas unaffected by the waste discharge.

14. The discharge of wastes shall not cause concentrations of unionized ammonia (NH3) to exceed 0.025 mg/L (as N) in receiving waters.

15. No individual pesticide or combination of pesticides shall reach concentrations that adversely affect the beneficial uses of the receiving water. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods as prescribed in Standard Methods for the Examination of Water and Wastewater, latest edition, or other equivalent methods approved by the Executive Officer.

16. Waters shall not contain organic substances in concentrations greater than the following.

Parameter	Limit
Methylene Blue Activated Substances	0.2 mg/L
Phenols	0.1 mg/L
PCBs	0.3 µg/L
Phthalate Esters	0.002 µg/L

17. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent, which presents a hazard to human, plant, animal, or aquatic life. In no circumstance shall receiving waters contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in Table 4 of Title 22 California Code of Regulations, Division 4, Chapter 15, Article 5.

18. Receiving waters shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15.

19. Receiving waters shall not contain concentrations of chemical constituents in amounts that adversely affect the agricultural beneficial use. (Interpretation of adverse effect shall be derived from guidelines of the University of California Agricultural Extension Service presented in Section III, Table 3-3 of the Basin Plan.)

20. Receiving waters shall not contain concentrations of chemical constituents in excess of those levels specified for irrigation and livestock watering in Section III, Table 3-4 of the Basin Plan.

21. Receiving waters shall not contain concentrations of chemical constituents known to be deleterious to fish or wildlife in excess of the levels presented in Section III, Table 3-5 of the Basin Plan.

22. Cadmium shall not exceed 0.003 mg/L, when hardness in receiving waters is greater than 100 mg/L as CaCO3, nor shall cadmium exceed 0.0004 mg/L when hardness in receiving waters is equal to or less than 100 mg/L as CaCO3.

23. Discharges shall not cause the Nacimiento River to exceed the following water quality objectives.

TDS	Chloride	Sulfate	Boron	Sodium
200 mg/L	20 mg/L	50 mg/L	0.2 mg/L	20 mg/L

VI. PROVISIONS

A. Standard Provisions

Federal Standard Provisions. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

B. Monitoring and Reporting Program Requirements

The discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order. All monitoring shall be conducted according to 40 CFR Part 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*.

C. Special Provisions

1. Reopener Provision.

   This permit may be reopened and modified in accordance with NPDES regulations at 40 CFR 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any U.S. EPA approved, new, State water quality objective.

2. Toxicity Reduction Evaluation Workplan.

   The Discharger shall maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that the acute toxicity effluent limitation of this Order is exceeded in the discharge. The work plan shall be prepared in accordance with current technical guidance and reference material, including EPA/600/2-88-070 (for industrial discharges) or EPA/600/2-88/062 (for municipal discharges), and shall include, at a minimum:

   a. Actions that will be taken to investigate/identify the causes/sources of toxicity,

   b. Actions that will be evaluated to mitigate the impact of the discharge, to correct the non-compliance, and/or to prevent the recurrence of acute toxicity (this list of action steps may be expanded, if a TRE is undertaken), and

   c. A schedule under which these actions will be implemented.

   When monitoring measures acute toxicity in the effluent above the limitation established by this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for acute toxicity. Results of an initial failed test and results of subsequent monitoring shall be reported to the Executive Officer (EO) as soon as possible following receipt of monitoring results. The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures. The Discharger

shall conduct a TRE giving due consideration to guidance provided by the U.S. EPA's Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3 (EPA document nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036, respectively). A TRE, if necessary, shall be conducted in accordance with the following schedule.

Action Step	When Required
Take all reasonable measures necessary to immediately reduce toxicity, where the source is known.	Within 24 hours of identification of noncompliance.
Initiate the TRE in accordance to the Workplan.	Within 7 days of notification by the EO
Conduct the TRE following the procedures in the Workplan.	One year period or as specified in the plan
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE
Implement corrective actions to meet Permit limits and conditions.	To be determined by the EO

3. Discharges of Storm Water

For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, if applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities.*

4. Biosolids Handling and Disposal

The handling, management, and disposal of sludge and solids derived from wastewater treatment must comply with applicable provisions of U.S. EPA regulations at 40 CFR parts 257, 258, 501, and 503, including all monitoring, record keeping, and reporting requirements.

Solids and sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, and shall not result in groundwater contamination. Sites for solids and sludge treatment and storage shall have adequate facilities to divert surface water runoff from adjacent areas to protect the boundaries of such sites from erosion, and to prevent drainage from treatment and storage sites. The treatment, storage, disposal, or reuse of sewage sludge and solids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited into waters of the State.

5. Compliance Schedules

a. The Discharger shall adhere to the following schedule for compliance with final effluent limitations, if necessary, for mercury, and 4,4 – DDD, which are established by this Order.

Schedule for Compliance with Final Effluent Limitations for Mercury, and 4,4 - DDD

Interim Requirement	Completion Date
1. Conduct one year of quarterly (Apr 2006, Jul 2006, Oct 2006, Jan 2007) sampling for mercury, and 4,4 – DDD and report results.	February 23, 2007
2. If, after the quarterly sampling conducted in task 1 above quantifies mercury or 4,4 – DDD above its applicable water quality criterion, identify potential sources by collection system evaluation, sampling and analysis, and by audits of dischargers to the collection system. Evaluate wastewater treatment operational practices to identify potential sources.	18 months after adoption of Order No. R3-2006-0012
3. If, after the quarterly sampling conducted in task 1 above quantifies mercury or 4,4 – DDD above its applicable water quality criterion, complete Source Control Plan and/or a Pollutant Minimization Plan.	2 years after adoption of Order No. R3-2006-0012
4. If, after the quarterly sampling conducted in task 1 above quantifies mercury or 4,4 – DDD above its applicable water quality criterion, implement source control and/or pollutant minimization measures and evaluate treatment upgrades necessary to achieve compliance with final limitations.	2.5 years after adoption of Order No. R3-2006-0012
5. If, after the quarterly sampling conducted in task 1 above quantifies mercury or 4,4 – DDD above its applicable water quality criterion, submit report to the Regional Board, which summarizes the effectiveness of source control and/or pollutant minimization measures. Describe final action plan, if necessary, to be implemented in Step 5, below.	3.5 years after adoption of Order No. R3-2006-0012
6. If, after the quarterly sampling conducted in task 1 above quantifies mercury or 4,4 – DDD above its applicable water quality criterion, implement selected WWTP operational measures and/or treatment upgrades. Final effluent limitations become effective.	4 years after adoption of Order No. R3-2006-0012

b. The Discharger shall adhere to the following schedule for compliance with final effluent limitations for copper, which is established by this Order.

Schedule for Compliance with Final Effluent Limitations for Copper

Interim Requirement	Completion Date
1.Conduct one year of quarterly (Apr 2006, Jul 2006, Oct 2006, Jan 2007) sampling for copper and report results.	February 23, 2007
2.Identify potential sources by collection system evaluation, sampling and analysis, and by audits of dischargers to the collection system. Evaluate wastewater treatment operational practices to identify potential sources.	1 year after adoption of Order No. R3-2006-0012
3.Complete Source Control Plan and/or a Pollutant Minimization Plan.	18 months after adoption of Order No. R3-2006-0012
4.Implement source control and/or pollutant minimization measures	2 years after adoption of

Interim Requirement	Completion Date
and evaluate treatment upgrades necessary to achieve compliance with final limitations.	Order No. R3-2006-0012
5. Submit report to the Regional Board, which summarizes the effectiveness of source control and/or pollutant minimization measures. Describe final action plan, if necessary, to be implemented in Step 5, below.	3.5 years after adoption of Order No. R3-2006-0012
6. Implement selected WWTP operational measures and/or treatment upgrades. Final effluent limitations become effective.	4 years after adoption of Order No. R3-2006-0012

c. The Discharger shall adhere to the following schedule for compliance with Discharge Prohibition III. C established by this Order.

Schedule for Compliance with Discharge Prohibition III. C Regarding Discharges via Seepage/Percolation from Units of the Wastewater Treatment System

Interim Requirement	Completion Date
1. Initiate planning and design steps necessary to construct or repair evaporation pond liners and to complete other facility upgrades necessary to achieve compliance with Discharge Prohibition III. C.	1 year following the effective date of this Order
2. Submit a Progress Report to the Regional Board describing the steps completed and underway towards completion of plans and drawings and towards securing funding for facility upgrades necessary to achieve compliance with Discharge Prohibition III. C	2 years following the effective date of this Order
3. Construction plans and drawings to construct or repair evaporation pond liners shall be completed.	3 years following the effective date of this Order
4. Discharge Prohibition III. C of this Order shall become effective.	4 years following the effective date of this Order

d. The Discharger shall prepare a TRE Workplan within 12 months of adoption of the Order

6. Posting.

The unnamed ephemeral drainageway receiving treated wastewater shall be posted downstream, as far as flow exists, to warn of the presence of treated domestic wastewater.

7. Notice of Percolation Bed Use.

Until compliance with Discharge Prohibition III. C is achieved, the Discharger shall notify the Executive Officer in advance of any scheduled use of the percolation/evaporation beds. Unscheduled or emergency use of the percolation/evaporation beds shall be reported by telephone within 48 hours and described in the next self-monitoring report.

8. Alternatives to Discharge to Surface Water.

The Discharger shall continue to pursue alternatives to the surface water discharge, including reclamation alternatives. An updated summary of such efforts shall be submitted with each Annual Monitoring Report.

VII. COMPLIANCE DETERMINATION

For purposes of reporting and administrative enforcement, compliance with effluent limitations or discharge specifications shall be determined as follows:

A. Dischargers shall be deemed out of compliance with an effluent limitation or discharge specification if the concentration of the constituent in the monitoring sample is greater than the effluent limitation or discharge specification and greater than or equal to the Minimum Level (ML).

Minimum Levels (MLs) represent the lowest quantifiable concentrations of a pollutant in water quality samples based on proper application of method-specific analytical procedures and the absence of matrix interferences. MLs also represent the lowest standard concentrations in the calibration curves for specific analytical techniques after the application of method specific factors. For reporting and compliance determinations for toxic pollutants the discharger shall use analytical methods identified in the corresponding ML is below the applicable effluent limitation. If the effluent limitation is below all the MLs identified for the pollutant, the discharger shall select the lowest ML (and corresponding analytical method).

B. When determining compliance with an average monthly effluent limitation or discharge specification or a 4-day average effluent limitation, and more than one sample result is available for the averaging period, the arithmetic mean of the data set shall be computed unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In such cases, the median shall be computed in place of the arithmetic mean in accordance with the following procedure.

1. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

C. If only one sample is collected during the time period associated with the effluent limitations (e.g., 30-day average or 4-day average), the single measurement shall be used to determine compliance with the effluent limitation for the entire time period.

D. All analytical data shall be reported uncensored with method detection limits and practical quantitation limits identified. For any effluent limitation, compliance shall be determined using appropriate statistical methods to evaluate multiple samples. Sufficient sampling and analyses shall be conducted to determine compliance.

E. When determining compliance based on a single sample, and a single effluent limitation applies to a group of chemicals (e.g. PCBs), concentrations of individual members of the group may be considered to be zero if the analytical response for individual chemicals falls below the MDL for that parameter.

G. As defined by the U.S. EPA at 40 CFR 122.2, average monthly discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

ATTACHMENT A – DEFINITIONS

Average Monthly Effluent Limitation (AMEL): the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL): the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Daily Discharge: the total mass of the constituent discharged over the day for a constituent with limitations expressed in units of mass or the arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

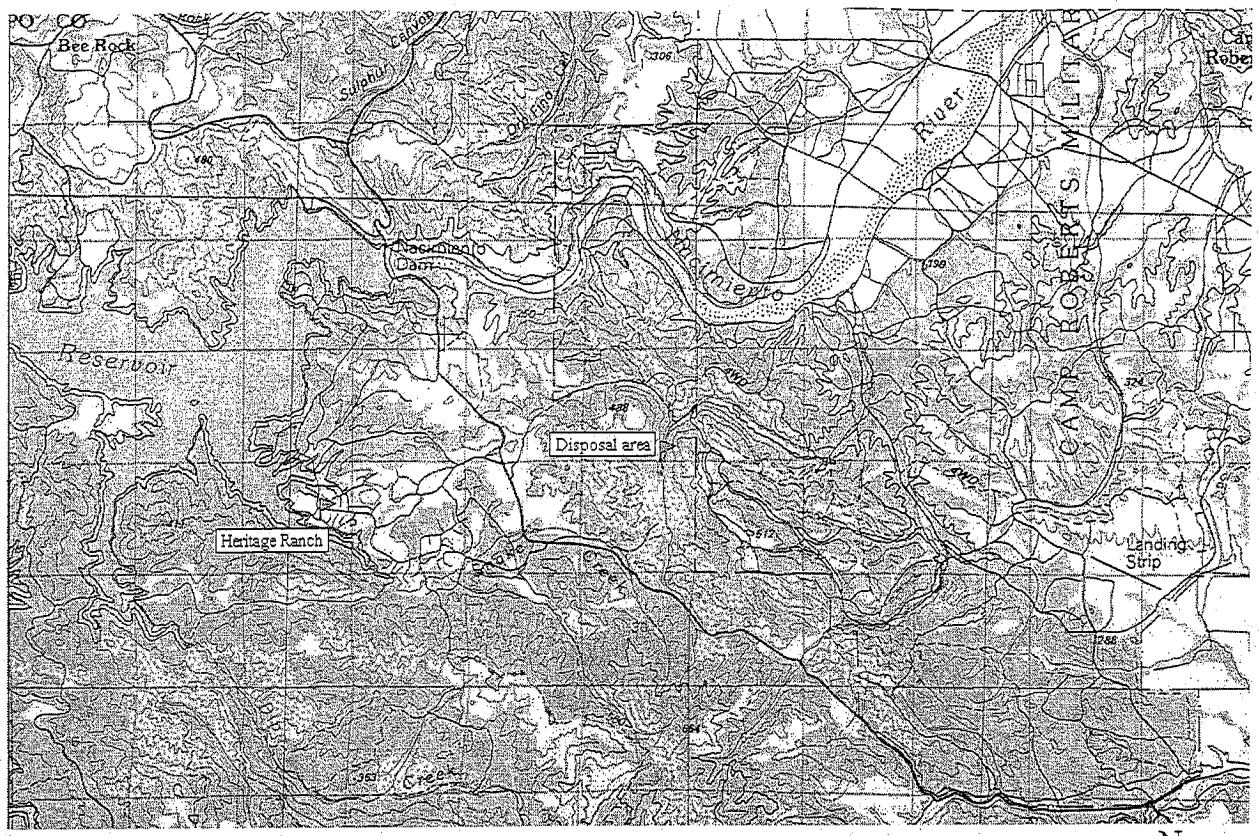
Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation: the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant over a calendar day.

Six-month Median Effluent Limitation: the highest allowable moving median of all daily discharges for any 180-day period.

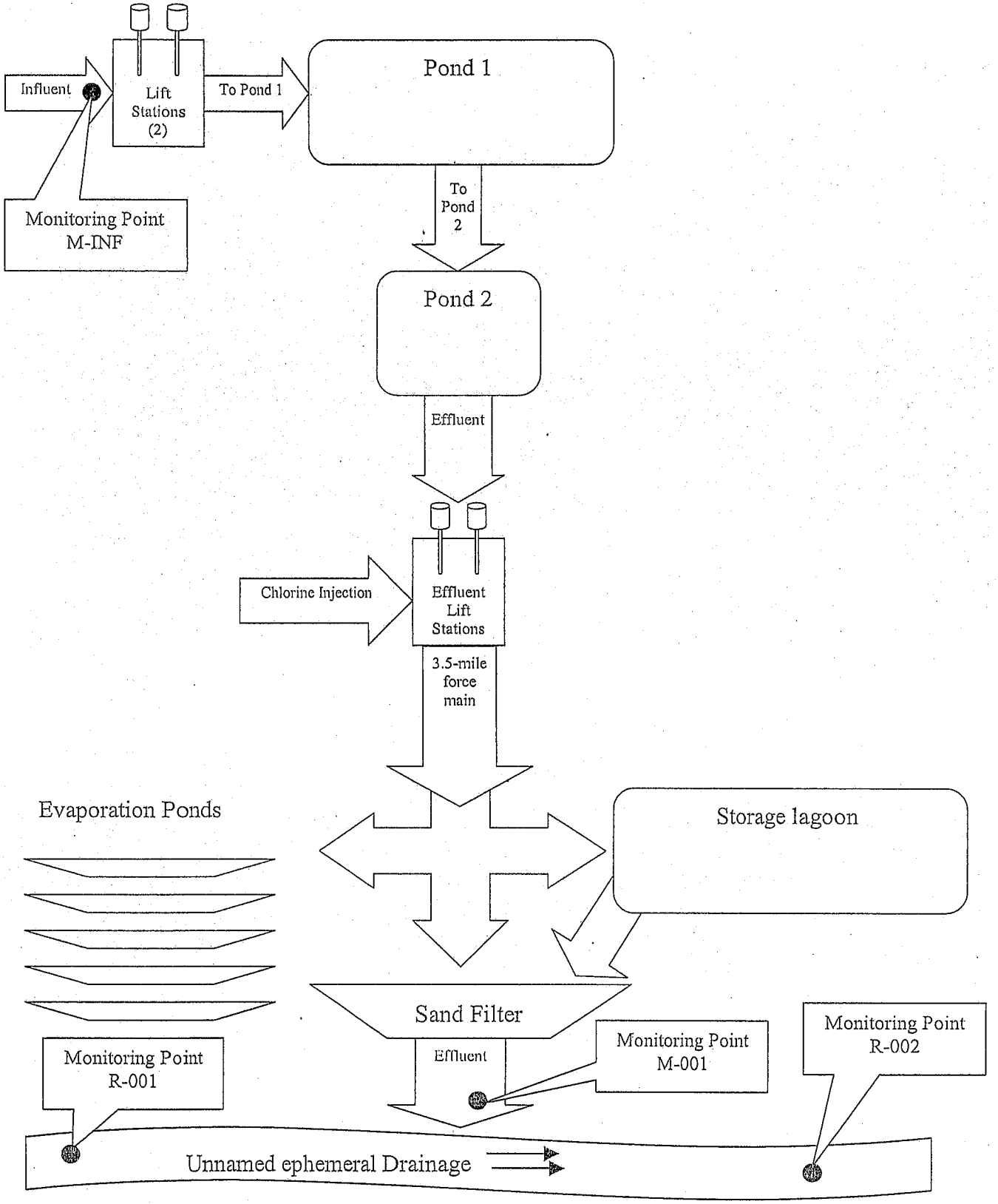
ATTACHMENT B – TOPOGRAPHIC MAP



N

(not to scale)

ATTACHMENT C – FLOW SCHEMATIC



ATTACHMENT D – FEDERAL STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action, for permit termination, revocation and reissuance, or denial of a permit renewal application [*40 CFR §122.41(a)*].

2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not been modified to incorporate the requirement [*40 CFR §122.41(a)(1)*].

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order [*40 CFR §122.41(c)*].

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment [*40 CFR §122.41(d)*].

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [*40 CFR §122.41(e)*].

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [*40 CFR §122.41(g)*].

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations [*40 CFR §122.5(c)*].

F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [*40 CFR §122.41(i)*] [*Water Code 13383(c)*]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [*40 CFR §122.41(i)(1)*];

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [*40 CFR §122.41(i)(2)*];

3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [*40 CFR §122.41(i)(3)*];

4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location [*40 CFR §122.41(i)(4)*].

G. Bypass

1. Definitions

   a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [*40 CFR §122.41(m)(1)(i)*].

   b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [*40 CFR §122.41(m)(1)(ii)*].

2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3 and I.G.5 below [*40 CFR §122.41(m)(2)*].

3. Prohibition of bypass – Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless [*40 CFR §122.41(m)(4)(i)*]:

   a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [*40 CFR §122.41(m)(4)(A)*];

   b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [*40 CFR §122.41(m)(4)(B)*]; and

   c. The Discharger submitted notice to the Regional Water Board as required under Standard Provision – Permit Compliance I.G.5 below [*40 CFR §122.41(m)(4)(C)*].

4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above [*40 CFR §122.41(m)(4)(ii)*].

5. Notice

   a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [*40 CFR §122.41(m)(3)(i)*].

   b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below [*40 CFR §122.41(m)(3)(ii)*].

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [*40 CFR §122.41(n)(1)*].

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph H.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before

an action for noncompliance, is final administrative action subject to judicial review [*40 CFR §122.41(n)(2)*].

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [*40 CFR §122.41(n)(3)*]:

   a. An upset occurred and that the Discharger can identify the cause(s) of the upset [*40 CFR §122.41(n)(3)(i)*];

   b. The permitted facility was, at the time, being properly operated [*40 CFR §122.41(n)(3)(i)*];

   c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b [*40 CFR §122.41(n)(3)(iii)*]; and

   d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [*40 CFR §122.41(n)(3)(iv)*].

3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [*40 CFR §122.41(n)(4)*].

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [*40 CFR §122.41(f)*].

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [*40 CFR §122.41(b)*].

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code [*40 CFR §122.41(l)(3)*] [*40 CFR §122.61*].

III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [*40 CFR §122.41(j)(1)*].

B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order [*40 CFR §122.41(j)(4)*] [*40 CFR §122.44(i)(1)(iv)*].

IV. STANDARD PROVISIONS – RECORDS

A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time [*40 CFR §122.41(j)(2)*].

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements [*40 CFR §122.41(j)(3)(i)*];
2. The individual(s) who performed the sampling or measurements [*40 CFR §122.41(j)(3)(ii)*];
3. The date(s) analyses were performed [*40 CFR §122.41(j)(3)(iii)*];
4. The individual(s) who performed the analyses [*40 CFR §122.41(j)(3)(iv)*];
5. The analytical techniques or methods used [*40 CFR §122.41(j)(3)(v)*]; and
6. The results of such analyses [*40 CFR §122.41(j)(3)(vi)*].

C. Claims of confidentiality for the following information will be denied [*40 CFR §122.7(b)*]:

1. The name and address of any permit applicant or Discharger [*40 CFR §122.7(b)(1)*]; and
2. Permit applications and attachments, permits and effluent data [*40 CFR §122.7(b)(2)*].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, SWRCB, or USEPA within a reasonable time, any information which the Regional Water Board, SWRCB, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, SWRCB, or USEPA copies of records required to be kept by this Order [*40 CFR §122.41(h)*] [*Water Code 13267*].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, SWRCB, and/or USEPA shall be signed and certified in accordance with paragraph (2.) and (3.) of this provision [*40 CFR §122.41(k)*].

2. All permit applications shall be signed as follows:

   a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [*40 CFR §122.22(a)(1)*];

   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [*40 CFR §122.22(a)(2)*]; or

   c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [*40 CFR §122.22(a)(3)*].

3. All reports required by this Order and other information requested by the Regional Water Board, SWRCB, or USEPA shall be signed by a person described in paragraph

(b) of this provision, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in paragraph (2.) of this provision [*40 CFR §122.22(b)(1)*];

b. The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) [*40 CFR §122.22(b)(2)*]; and

c. The written authorization is submitted to the Regional Water Board, SWRCB, or USEPA [*40 CFR §122.22(b)(3)*].

4. If an authorization under paragraph (3.) of this provision is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (3.) of this provision must be submitted to the Regional Water Board, SWRCB or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].

5. Any person signing a document under paragraph (2.) or (3.) of this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations" [*40 CFR §122.22(d)*].

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [*40 CFR §122.41(l)(4)*].

2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or SWRCB for reporting results of monitoring of sludge use or disposal practices [*40 CFR §122.41(l)(4)(i)*].

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or

disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board [*40 CFR §122.41(l)(4)(ii)*].

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [*40 CFR §122.41(l)(4)(iii)*].

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [*40 CFR §122.41(l)(5)*].

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [*40 CFR §122.41(l)(6)(i)*].

2. The following shall be included as information that must be reported within 24 hours under this paragraph [*40 CFR §122.41(l)(6)(ii)*]:

   a. Any unanticipated bypass that exceeds any effluent limitation in this Order [*40 CFR §122.41(l)(6)(ii)(A)*].

   b. Any upset that exceeds any effluent limitation in this Order [*40 CFR §122.41(l)(6)(ii)(B)*].

   c. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [*40 CFR §122.41(l)(6)(ii)(C)*].

3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [*40 CFR §122.41(l)(6)(iii)*].

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [*40 CFR §122.41(l)(1)*]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b) [*40 CFR §122.41(l)(1)(i)*]; or

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR Part 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [*40 CFR §122.41(l)(1)(ii)*].

3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [*40 CFR §122.41(l)(1)(iii)*].

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or SWRCB of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements [*40 CFR §122.41(l)(2)*].

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting E.3, E.4, and E.5 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E [*40 CFR §122.41(l)(7)*].

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [*40 CFR §122.41(l)(8)*].

VI. STANDARD PROVISIONS – ENFORCEMENT

A. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved

under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Clean Water Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions [*40 CFR §122.41(a)(2)*] [*Water Code 13385 and 13387*].

B. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000 [*40 CFR §122.41(a)(3)*].

C. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both [*40 CFR §122.41(j)(5)*].

D. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both [*40 CFR §122.41(k)(2)*].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Regional Water Board as soon as they know or have reason to believe [*40 CFR §122.42(a)*]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [*40 CFR §122.42(a)(1)*]:

   a. 100 micrograms per liter (µg/L) [*40 CFR §122.42(a)(1)(i)*];

   b. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [*40 CFR §122.42(a)(1)(ii)*];

   c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [*40 CFR §122.42(a)(1)(iii)*]; or

   d. The level established by the Regional Water Board in accordance with 40 CFR §122.44(f) [*40 CFR §122.42(a)(1)(iv)*].

2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [*40 CFR §122.42(a)(2)*]:

   a. 500 micrograms per liter (µg/L) [*40 CFR §122.42(a)(2)(i)*];

   b. 1 milligram per liter (mg/L) for antimony [*40 CFR §122.42(a)(2)(ii)*];

   c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [*40 CFR §122.42(a)(2)(iii)*]; or

   d. The level established by the Regional Water Board in accordance with 40 CFR §122.44(f) [*40 CFR §122.42(a)(2)(iv)*].

B. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Regional Water Board of the following [*40 CFR §122.42(b)*]:

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants [*40 CFR §122.42(b)(1)*]; and

2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [*40 CFR §122.42(b)(2)*].

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [*40 CFR §122.42(b)(3)*].

ATTACHMENT D-1 – CENTRAL COAST WATER BOARD STANDARD PROVISIONS (JANUARY 1985)

A. **General Permit Conditions:**

Prohibitions:

1. Introduction of "incompatible wastes" to the treatment system is prohibited.

2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.

3. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under Section 307(a) of the Clean Water Act is prohibited.

4. "Bypass" and "overflow" of untreated and partially treated waste is prohibited.

5. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.

6. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:

   a) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,

   b) flow through the system to the receiving water untreated; and,

   c) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.

7. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

Provisions:

8. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.

9. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.

10. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

11. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.

12. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Administrative Code.

13. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:

    a) violation of any term or condition contained in this order;

    b) obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;

    c) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,

    d) a substantial change in character, location, or volume of the discharge.

14. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.

15. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:

    a) Promulgation of a new or revised effluent standard or limitation;

    b) A material change in character, location, or volume of the discharge;

    c) Access to new information that affects the terms of the permit, including applicable schedules;

    d) Correction of technical mistakes or mistaken interpretations of law; and,

    e) Other causes set forth under Sub-part D of 40 CFR Part 122.

16. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the affect of accidental discharges shall:

    a) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.)

    b) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.

17. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

18. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.

19. Production and use of reclaimed water is subject to the approval of the Board. Production and use of reclaimed water shall be in conformance with reclamation criteria established in Chapter 3, Title 22, of the California Administrative Code and Chapter 7, Division 7, of the California Water Code. An engineering report pursuant to section 60323, Title 22, of the California Administrative Code is required and a waiver or water reclamation requirements from the Board is required before reclaimed water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by this Board.

B. **General Monitoring Requirements:**

1. Monitoring location, minimum sampling frequency, and sampling method for each parameter shall comply with the Monitoring and Reporting Program of this Order.

2. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

   For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (ref. paragraph F.13.). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (ref. paragraph F.14.).

3. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Resources Control Board and the State Department of Fish and Game. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services or, where appropriate, the Department of Fish and Game due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:

   a) Data results remain consistent with results of samples analyzed by the Central Coast Water Board;

   b) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,

   c) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.

4. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.

5. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

C. **General Reporting Requirements:**

1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:

   a) A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).

   b) A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).

   c) A description of the sampling procedures and preservation sequence used in the survey.

   d) A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to paragraph B.1 above, and Attachment D, Federal Standard Provision III.B. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.

   e) A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.

2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

3. The "Discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.

4. Within 120 days after the discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Central Coast Water Board. The report shall include:

   a) the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,

   b) a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

   In addition to complying with Attachment D, Federal Standard Provision V.B, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all

planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

5. All "Dischargers" shall submit reports to the:

   California Regional Water Quality Control Board
   Central Coast Region
   895 Aerovista Place, Suite 101
   San Luis Obispo, CA 93401-7906

   In addition, "Dischargers" with designated major discharges shall submit a copy of each document to:

   Regional Administrator
   US Environmental Protection Agency, Region 9
   Attention: CWA Standards and Permits Office (WTR-5)
   75 Hawthorne Street
   San Francisco, California 94105

6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing "Discharger" and proposed "Discharger" containing specific date for transfer of responsibility, coverage, and liability between them. Whether a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete permit application. Please also see Attachment D, Federal Standard Provision II.C.

7. Except for data determined to be confidential under Section 308 of the Clean Water Act (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of EPA. Please also see Attachment D, Federal Standard Provision IV.C.

8. By February 1st of each year, the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharge into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual (including contingency plans as described in Provision A.16.), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B above, *General Monitoring Requirements*.

   If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

   If applicable, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Programs."

D. **General Pretreatment Provisions**

1. Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (appendix C, 40 CFR Part 403), where categorical pretreatment standards have been established, or are to be established, (according to 40 CFR Chapter 1, Subchapter N), shall comply with the appropriate pretreatment standards:

   a) By the date specified therein;

   b) Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,

   c) If a new indirect discharger, upon commencement of discharge.

E. **Enforcement:**

1. Any person failing to file a report of waste discharge or other report as required by this permit shall be subject to a civil penalty not to exceed $5,000 per day.

2. Upon reduction, loss, or failure of the treatment facility, the "Discharger" shall, to the extent necessary to maintain compliance with this permit, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided.

F. **Definitions [Not otherwise included in Attachment A to this Order]:**

1. "Bypass" means the diversion of waste streams from any portion of a treatment facility.

2. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.

3. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples" except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a "grab sample".

4. "Duly Authorized Representative" is one where:

   a) the authorization is made in writing by a person described in the signatory paragraph of Attachment D, Federal Standard Provision V.B;

   b) the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,

   c) the written authorization was submitted to the Central Coast Water Board.

5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in paragraph F.4 and instantaneous maximum limits.

6. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

7. "Incompatible wastes" are:

   a) Wastes which create a fire or explosion hazard in the treatment works;

   b) Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;

   c) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;

   d) Any waste, including oxygen demanding pollutants (BOD, etc), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,

   e) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.

9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

   Log Mean = $(C_1 \times C_2 \times ... \times C_n)^{1/n}$

   in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. "n" should be five or more.

10. "Mass emission rate" is a daily rate defined by the following equations:

    mass emission rate (lbs/day) = 8.34 x Q x C; and,

    mass emission rate (kg/day) = 3.79 x Q x C,

    where "C" (in mg/l) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flow rate or the average of measured daily flow rates over the period of interest.

11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph F.10, above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

12. "Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in paragraph F.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.

13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.

14. "Monthly Average" (or "Weekly Average", as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period

    $$\text{Average} = (X_1 + X_2 + \ldots + X_n) / n$$

    in which "n" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. "n" should be four or greater.

15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial waste, or other waste.

16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.

17. "Discharger", as used herein, means, as appropriate: (l) the Discharger, (2) the local sewering entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger", it refers to the discharger.)

18. "Pollutant-free wastewater" means inflow and infiltration, storm waters, and cooling waters and condensates which are essentially free of pollutants.

19. "Primary Industry Category" means any industry category listed in 40 CFR Part 122, Appendix A.

20. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

    $$C_{\text{Effluent}} \text{ Removal Efficiency } (\%) = 100 \times (1 - C_{\text{effluent}} / C_{\text{influent}})$$

21. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.

22. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.

23. To "significantly contribute" to a permit violation means an "indirect discharger" must:

a) Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;

b) Discharge wastewater, which substantially differs in nature or constituents from its average discharge;

c) Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or

d) Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of permit violations.

24. "Toxic Pollutant" means any pollutant listed as toxic under Section 307 (a) (1) of the Clean Water Act or under 40 CFR Part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Attachment D, Federal Standard Provision V.E.).

25. "Upset" means an exceptional incident causing noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

26. "Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Resources Control Board.

ATTACHMENT E

MONITORING AND REPORTING PROGRAM (MRP) NO. R3-2006-0012

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NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify monitoring and reporting requirements. California Water Code Sections 13267 and 13383 also authorize the Regional Water Board to require technical and monitoring reports. The Regional Water Board requires the Heritage Ranch Community Services District to submit monitoring and technical reports in accordance with California Water Code Section 13267 to determine if the discharge complies with the conditions contained in this Order. More detailed information is available in the Regional Board's public file on this matter. This MRP establishes monitoring and reporting requirements to implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

A. Samples and measurements collected as required herein shall be representative of the monitored discharge's volume and nature. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Regional Board or Executive Officer.

B. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ±10 percent from true discharge rates throughout the range of expected discharge volumes. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.

1. *A Guide to Methods and Standards for the Measurement of Water Flow*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)

2. *Water Measurement Manual*, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Order by Catalog No. 172.19/2:W29/2, Stock No. S/N 24003-0027.)

3. *Flow Measurement in Open Channels and Closed Conduits*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Services (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)

4. *NPDES Compliance Sampling Manual*, U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, CO 80225.)

C. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services.

D. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All monitoring instruments and devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

E. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.

F. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005).

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order.

Discharge Point Name	Monitoring Location Name	Monitoring Location Description (include Latitude and Longitude when available)
Influent	M-INF	Influent wastewater, prior to discharge to the aeration basins, and following all significant inputs to the collection system of untreated wastewater and inflow and infiltration
001	M-001	Outfall to the unnamed ephemeral drainage way, prior to contact with receiving water flow, at 35°, 43', 51" N Lat. and 120°, 50', 21" W Long.
Receiving Water	R-001	Approximately 50 feet upstream of Discharge Point 001, within the unnamed ephemeral drainage way
Receiving Water	R-002	Approximately 100 feet downstream of Discharge Point 001, within the unnamed ephemeral drainage way

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-INF

1. The Discharger shall monitor influent to the wastewater treatment facility at Monitoring Location M-INF as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency
BOD_5 [a]	mg/L	24-hr composite	Monthly
TSS [b]	mg/L	24-hr composite	Monthly

[a] 5-day biochemical oxygen demand at 20° C
[b] Total suspended solids

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-001

1. The Discharger shall monitor treated wastewater at Monitoring Location M-001 as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow Volume	mgd	continuous	daily
Max Daily Flow	mgd	calculated	monthly
Mean Daily Flow	mgd	calculated	monthly
BOD_5	mg/L	24-hr composite	monthly
TSS	mg/L	24-hr composite	monthly

Settleable Solids	ml/L	grab	weekly
Chlorine	mg/L	grab	weekly
Oil and Grease	mg/L	grab	monthly
Dissolved Oxygen	mg/L	grab	monthly
pH	stnd units	grab	monthly
Temperature	° F	instantaneous	monthly
Color	color units	grab	monthly
Turbidity	NTUs	grab	monthly
Hardness	mg/L as $CaCO_3$	grab	monthly
TDS	mg/L	grab	semi-annually (January and July)
Sodium	mg/L	grab	
Chloride	mg/L	grab	
Nitrate	mg/L (as N)	grab	
Copper	mg/L	grab	
Coliform Bacteria	mpn/100 mls	grab	2x / week
Acute Toxicity [a]	% Survival	grab	annually
CTR Pollutants [b]	µg/L	grab	1x / permit term
Title 22 Pollutants [c]	µg/L	grab	1x / permit term

[a] Acute toxicity monitoring shall be conducted according to methods described in Section V of this MRP, below.

[b] Those pollutants listed as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38. Monitoring for the CTR pollutants in effluent shall occur simultaneously with monitoring required for the CTR pollutants in receiving water.

[c] Those pollutants with primary maximum contaminant levels (MCLs) specified by the Department of Health Services in Tables 64431-A (Primary MCLs for Inorganic Chemicals) and 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15. Monitoring for the Title 22 pollutants in effluent shall occur simultaneously with monitoring required for the Title 22 pollutants in receiving water.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Acute Toxicity

Acute toxicity testing shall be performed using U.S. EPA Method 2001.0 (fathead minnow) in accordance with procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition.

The presence of acute toxicity is identified by significantly reduced survival, as determined by a t-test, of test organisms in 100 percent effluent compared to a control sample.

When toxicity monitoring finds acute toxicity in the effluent above the limitation established by Order No. R3-2006-0012, the Discharger shall immediately resample the effluent, if the discharge is continuing, and retest for acute toxicity. Results of the initial failed test and any toxicity monitoring results subsequent to the failed test shall be reported as soon as possible to the Executive Officer (EO). The EO will determine whether to initiate enforcement

action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or to implement other measures

VI. LAND DISCHARGE MONITORING REQUIREMENTS

This section of the standardized format for the MRP is not applicable to the Heritage Ranch Community Services District.

VII. RECLAMATION MONITORING REQUIREMENTS

This section of the standardized format for the MRP is not applicable to the Heritage Ranch Community Services District.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER

A. Monitoring Locations R-001 and R-002

1. Monitoring Locations R-001 and R-002 shall be monitored as follows [a]:

Parameter	Units	Sample Type	Minimum Sampling Frequency
Oil and Grease	mg/L	grab	semiannually [b]
pH	--	grab	semiannually [b]
Temperature	°F	grab	semiannually [b]
Turbidity	NTUs	grab	semiannually [b]
Dissolved Oxygen	mg/L	grab	semiannually [b]
Sodium	mg/L	grab	semiannually [b]
TDS	mg/L	grab	semiannually [b]
Chloride	mg/L	grab	semiannually [b]
Nitrate	mg/L N	grab	semiannually [b]
Hardness	mg/L	grab	semiannually [b]
Total Nitrogen	mg/L (as N)	grab	semi-annually [b]
Methylene Blue Activated Substances	mg/L	grab	semi-annually [b]
CTR Pollutants [c, e]	µg/L	grab	1X / permit term
Title 22 Pollutants [d, e]	µg/L	grab	1X / permit term

[a] If there is no surface water to sample at a monitoring location, then the monitoring requirement cannot be fulfilled and a statement to that effect shall be reported.

[ab] January and July

[bc] Those pollutants listed as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38. Monitoring of receiving water for the CTR pollutants shall occur simultaneously with effluent monitoring for the CTR pollutants.

[cd] Those pollutants with primary maximum contaminant levels (MCLs) specified by the Department of Health Services in Tables 64431-A (Primary MCLs for Inorganic Chemicals) and 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15. Monitoring of receiving water for the Title 22 pollutants shall occur simultaneously with effluent monitoring for the CTR pollutants.

[de] Monitoring shall be performed at Monitoring Location R-001 only.

IX. OTHER MONITORING REQUIREMENTS

A. Biosolids Monitoring

Representative sludge samples shall be sampled and analyzed in accordance with the following schedule. Monthly reports shall describe the volume and disposal location of all sludges removed from the treatment and disposal sites. If biosolids are not removed from the Discharger's facilities, monitoring is not required.

Pollutant	Units	Sample Type	Minimum Sampling Frequency	Analytical Method
Antimony	mg/kg	grab	annual	6010
Arsenic	mg/kg	grab	annual	7060
Barium	mg/kg	grab	annual	6010
Beryllium	mg/kg	grab	annual	6010
Cadmium	mg/kg	grab	annual	6010
Chromium $^{+6}$	mg/kg	grab	annual	6010
Total Chromium	mg/kg	grab	annual	6010
Cobalt	mg/kg	grab	annual	6010
Copper	mg/kg	grab	annual	6010
Lead	mg/kg	grab	annual	7421
Mercury	mg/kg	grab	annual	7470
Nickel	mg/kg	grab	annual	6010
Selenium	mg/kg	grab	annual	7740
Silver	mg/kg	grab	annual	6010
Thallium	mg/kg	grab	annual	7841
Tin	mg/kg	grab	annual	6010
Vanadium	mg/kg	grab	annual	6010
Zinc	mg/kg	grab	annual	6010
Pesticides [a]	mg/kg	grab	annual	8080 / 8150
Trichloroethylene	mg/kg	grab	annual	8260
Vinyl Chloride	mg/kg	grab	annual	8260
Biosolids Volume	lbs	estimate	monthly	-
Disposal Location	-	-	when disposal occurs	-
Organic Lead	mg/kg	grab	annual	-
PCBs	µg/kg	grab	annual	-

[a] Standard U.S. EPA method 8080 list and standard U.S. EPA method 8150 list

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit SMRs. Until such notification is given, the Discharger shall submit SMRs in accordance with the requirements described below.

2. The Discharger shall submit monthly SMRs, which include the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. Monthly reports shall be due on the 1st day of the second month following the end of each calendar month.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule.

Sampling Frequency	Monitoring Period Begins	Monitoring Period	SMR Due Date
Continuous	April 1, 2006	All	First day of second calendar month following month of sampling
Daily	April 1, 2006	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	
Weekly	April 1, 2006	Sunday through Saturday	
Monthly	April 1, 2006	First day of calendar month through last day of calendar month	
Quarterly	April 1, 2006	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
Semi-Annually	July 1, 2006	January 1 through June 30 July 1 through December 31	August 1 February 1
Annually	January 1, 2007	January 1 through December 31	February 1
1x / Permit Term	-	As specified by the MRP	As specified by the MRP

4. The Discharger shall report with each sample result the applicable Minimum Level (ML), current Method Detection Limit (MDL), and Practical Quantitation Limit, as determined by the procedure in 40 CFR Part 136.

5. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations.

6. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

7. Monitoring reports shall be reported to the Regional Board on forms approved by this Regional Board. Duplicate electronic copies of monitoring reports, signed and certified as required by the standard provisions (Attachment D), shall be submitted to State Water Resources Control Board at the following address:

   State Water Resources Control Board
   Discharge Monitoring Report Processing Center
   Post Office Box 671
   Sacramento, CA 95812

8. An Annual Self Monitoring Report shall be due on February 1 following each calendar year and shall include:

   - All data required by this MRP for the corresponding monitoring period, including appropriate calculations to verify compliance with effluent limitations.
   - A discussion of any incident of non-compliance and corrective actions taken.
   - All current and historic monitoring data in Microsoft Excel format.

9. Monitoring requirements of this MRP will be continuously evaluated, and this MRP may be revised at any time during the permit term, as necessary, following collection and review of monitoring data.

ATTACHMENT F – FACT SHEET – TABLE OF CONTENTS

ATTACHMENT F – FACT SHEET

As described in Section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

WDID	No. 3 401013001
Discharger	Heritage Ranch Community Services District
Name of Facility	Heritage Ranch Community Services District Wastewater Treatment Plant
Facility Address	4870 Heritage Road
	Paso Robles, CA 93446
	San Luis Obispo County
Facility Contact, Title and Phone	John D'Ornellas, General Manager, 805-227-6230
Authorized Person to Sign and Submit Reports	John D'Ornellas
Mailing Address	4870 Heritage Road, Paso Robles, CA 93446
Billing Address	4870 Heritage Road, Paso Robles, CA 93446
Type of Facility	Domestic Wastewater Treatment Plant
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	b
Pretreatment Program	N
Reclamation Requirements	NA
Facility Permitted Flow	0.4 MGD (monthly average)
Facility Design Flow	0.4 MGD (monthly average)
Watershed	Nacimiento
Receiving Water	Ephemeral drainage, tributary to the Nacimiento River
Receiving Water Type	Inland, fresh water

A. The Heritage Ranch Community Services District (hereinafter the Discharger) is the operator of a publicly owned wastewater collection and treatment system located in the Heritage Ranch Development, southeast of Lake Nacimiento in San Luis Obispo County.

B. The wastewater treatment facility discharges wastewater to an unnamed ephemeral drainage that is tributary to the Nacimiento River, waters of the United States, and is currently regulated by Order No. 01-006, which was adopted on February 2, 2001 and expired on February 2, 2006.

C. The Discharger filed a Report of Waste Discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on July 7, 2005.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

The Heritage Ranch Community Services District is located about 15 miles northwest of the City of Paso Robles and was formed in 1990 to oversee water and sewer services for a community that covers approximately 5,360 acres. The District currently serves a population of approximately 3,760 and expects to be fully developed serving a population of 6,490 (connected to the District's wastewater collection system) in approximately 25 years. Because 30 percent of the District's population is seasonal (summer) residents, wastewater flows are generally greater in summer periods than in winter periods, when inflow and infiltration increase wastewater flows in many communities. The following table shows monthly average wastewater flows from 2002 through 2004.

	Wastewater Flow (MGD)		
Year	Min Monthly Flow	Max Monthly Flow	Avg Monthly Flow
2002	0.147 (Oct)	0.174 (Dec)	0.160
2003	0.150 (Oct)	0.182 (Jul)	0.168
2004	0.153 (Sept)	0.172 (Mar)	0.163

In its Report of Waste Discharge of July 7, 2005, the Discharger reports peak daily flows ranging from 0.28 to 0.38 mgd.

A Wastewater Master Plan completed for the District in July 2005 projects a build out flow for the District of 0.487 mgd, which will exceed the treatment facility's design, average flow capacity of 0.4 mgd. The plan recommends that treatment capacity be expanded when average wastewater flows reach 85 percent of current capacity and determined that such an upgrade will be required within the next ten years.

The District currently operates 5 sewage lift stations and one effluent lift station. Its collection system consists of approximately 9 miles of sewer line, including gravity and force mains constructed with 6 to 10 inch diameter PVC pipe. Wastewater treatment and disposal occurs in two separate operating areas connected by a three-mile force main.

From the collection system, wastewater directly enters, without screening or grit removal, treatment facility Lagoon No.1, a partially mixed aerated lagoon, which is followed, in series, by a second aerated lagoon. Lagoons 1 and 2 have surface areas and volumes of 1.25 and 0.75 acres, and 2.7 and 1.5 million gallons, respectively, resulting in retention times of approximately 25 days at current average flow rates. Following the aerated lagoons, wastewater is chlorinated and pumped approximately 3 miles to the disposal facility, which includes a 20-acre feet effluent storage lagoon, several percolation/evaporation ponds, two sand filters, and the discharge location.

Chlorinated wastewater is pumped primarily to the effluent storage lagoon. From there, wastewater is discharged either to the percolation/evaporation ponds, or to the unnamed ephemeral drainage (with a portion being treated by filtration prior to discharge.)

The Heritage Ranch Wastewater Management Plan, prepared for and submitted to the District in July 2005, describes the following percentages of total wastewater from 2002 through 2004 that were discharged via the percolation/evaporation ponds.

Year	Percentage of Wastewater Flow Discharged Via the Percolation Ponds
2002	20
2003	21
2004	18

The Master Plan states that the percolation/evaporation ponds are not effective for percolation, because the disposal facility is built on or near bedrock, and that evaporation from the ponds provides more disposal than percolation. Treated wastewater that does percolate tends to travel along bedrock and flow laterally into the streambed.

Waste Discharge Requirements Order No. 01-006 required the District to continue consideration of alternative disposal methods to reduce the amount of effluent discharged to surface waters. Pursuant to this requirement and the need to increase treatment capacity, the Wastewater Master Plan examined several treatment options including increased sand filtration capacity, increased percolation capacity, spray fields for irrigation, constructed wetlands, forest evapotranspiration, and treated wastewater recycle/reuse. The plan concludes that recycling/reuse of wastewater is the only alternative with the potential to eliminate the need to discharge directly to surface water; however, it also acknowledges that the District does not, itself, have a water user large enough to use a significant amount of treated wastewater. The plan recommends closer examination of all disposal alternatives, including percolation testing.

B. Discharge Points and Receiving Waters

Discharge from the Heritage Ranch Community Services District Wastewater Treatment Plant at Discharge Point 001 is to an unnamed ephemeral natural drainage, which is tributary to the Nacimiento River. Surface flow in the unnamed ephemeral drainage reaches the Nacimiento River (approximately 4 miles from the outfall) only during sustained and major storm events.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations from Order No. 01-006 and representative effluent data (Discharge Point 001) provided by the Discharger in its Report of Waste Discharge of July 7, 2005, are summarized in the following table.

Pollutant	Units	Effluent Limitation			Monitoring Data (May 2004 – April 2005)	
		Monthly Avg	Weekly Avg	Daily Max	Monthly Avg, Range	Monthly Avg
BOD_5	mg/L	30	45	90	9.7 - 25	17

Pollutant	Units	Effluent Limitation			Monitoring Data (May 2004 – April 2005)	
		Monthly Avg	Weekly Avg	Daily Max	Monthly Avg, Range	Monthly Avg
TSS	mg/L	30	45	90	15 - 27	19
Settleable Solids	ml/L	-	-	0.1	< 0.1	< 0.1
Oil & Grease	mg/L	10	-	20	< 2 – 5	< 2.7
pH	pH units	6.5 – 8.3			not reported	
Coliform Bacteria	Organisms per 100 mL	23 per 100 mL (7-day median) and 2,400 per 100 mL (max)			< 2 – 3 per 100 ml	< 2.1 per 100 mL
Nitrate	mg/L	-	-	8	not detected in a single analysis of 1/18/05	

Pollutant	Effluent Limitation		Monitoring Data [1]
	Mean	Max	
TDS	groundwater conc. plus 410 mg/L	groundwater conc. plus 600 mg/L	200 mg/L (groundwater) plus 430 mg/L (effluent)
Sodium	groundwater conc. plus 100 mg/L	groundwater conc. plus 150 mg/L	11 mg/L (groundwater) plus 63 mg/L (effluent)
Chloride	groundwater conc. plus 90 mg/L	groundwater conc. plus 140 mg/L	8 mg/L (groundwater) plus 68 mg/L (effluent)

[1] Based on groundwater samples collected on 12/21/04 and effluent samples collected on 1/18/05

D. Compliance Summary

Effluent data submitted by the Discharger in its Report of Waste Discharge shows consistent compliance with effluent limitations. The treatment facility also achieved 92 – 97 percent BOD_5 removal and 87 – 96 percent TSS removal between May 2004 and April 2005.

The previous permit included discharge limitations for the protection of groundwater quality. Those limitations were intended to comply with Porter-Cologne, but were not required by the Clean Water Act. Those limitations are not included in the proposed permit because of the low probability of the occurrence of groundwater at the discharge location and ephemeral drainage.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in the proposed Order are based on the requirements and authorities described in this section.

A. Legal Authorities

This Order is issued pursuant to Section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (U.S. EPA) and Chapter 5.5, Division 7 of the California Water Code (Water Code). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Water Code Article 4, Chapter 4 for discharges that are not subject to regulation under CWA Section 402.

B. California Environmental Quality Act (CEQA)

This action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with Water Code Section 13389.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** The Regional Water Board adopted a *Water Quality Control Plan for the Central Coast Region* (the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, State Water Resources Control Board (State Water Board) Resolution No. 88-63 requires that, with certain exceptions, the Regional Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan. Beneficial uses applicable to the unnamed ephemeral drainage, which is the immediate receiving water for this discharge and is tributary to the Nacimiento River, are as follows.

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Unnamed ephemeral drainage, which is the immediate receiving water and tributary to the Nacimiento River	• Municipal and domestic supply • Protection of recreation and aquatic life

The Basin Plan establishes the following beneficial uses for groundwaters throughout the Region.

- Municipal and Domestic Supply

- Industrial Use
- Agricultural Supply

2. **Thermal Plan.** The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.

3. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992 and amended it on May 4, 1995 and November 9, 1999. The CTR was adopted on May 18, 2000 and amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.

4. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP applies to discharges of toxic pollutants into the inland surface waters, enclosed bays, and estuaries of California subject to regulation under the State's Porter-Cologne Water Quality Control Act (Water Code Division 7) and CWA. The SIP establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. EPA through the NTR and the CTR, and for priority pollutant objectives established by the Regional Water Boards in their basin plans, (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated through the NTR and to the priority pollutant objectives established by the Regional Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that has been approved by U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP includes procedures for determining the need for and calculating Water Quality Limitations, and requires Dischargers to submit data sufficient to do so.

5. **Anti-degradation Policy.** NPDES regulations at 40 CFR 131.12 require that State water quality standards include an anti-degradation policy consistent with the federal policy. The State Water Board established California's anti-degradation policy in State Water Board Resolution 68-16, which incorporates the requirements of the federal anti-degradation policy. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. As discussed in detail in this Fact Sheet, the permitted discharge is consistent with the anti-degradation provision of 40 CFR 131.12 and State Water Board Resolution 68-16.

6. **Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits; i.e., effluent limitations in a reissued permit must be as stringent as those in the previous

permit, with some exceptions where limitations may be relaxed. Order No. R3-2006-0012 complies with all Anti-Backsliding requirements, as all effluent limitations in this Order are at least as stringent as the effluent limitations in Order No. 01-006.

7. **Monitoring and Reporting Requirements.** NPDES regulations at 40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water CodeSections 13267 and 13383 authorize the Regional Boards to require technical and monitoring reports. The MRP establishes monitoring and reporting requirements to implement federal and State requirements. This MRP is provided in Attachment E.

D. Impaired Water Bodies on CWA 303 (d) List

On June 5 and July 25, 2003, the U.S. EPA approved the list of impaired water bodies, prepared by the State Water Resources Control Board pursuant to CWA Section 303 (d) – water bodies which are not expected to meet applicable water quality standards after implementation of technology-based effluent limitations for point sources. This current 303 (d) list does not include the Nacimiento River nor its unnamed ephemeral tributary, which is the immediate receiving water for discharges from the Heritage Ranch Community Services District's wastewater treatment facility.

E. Other Plans, Polices and Regulations

The Regional Water Board agrees with the U.S. EPA's interpretation of the Clean Water Act as applying to discharges of pollutants from a point source to groundwater that has a direct hydrologic connection to surface water. While the CWA's NPDES permitting requirements are not intended to regulate groundwater, they are intended to protect surface waters, which are contaminated via a groundwater connection. [66 Fed. Reg. 3015 (Jan. 12, 2001)]

A recent decision in the federal District Court for the Northern District of California confirmed this position, holding that a wastewater holding/treatment pond and groundwater that flows through it are tributaries to the Russian River. *Northern California River Watch v. City of Healdsburg*, No. C01-04686WHA (N. Dist. Ca., January 23, 2004) The Court found persuasive the line of authority represented by *Idaho Rural Council v. Bosna*, 143 F. Supp. 2d 1169, 1178-80 (D. Idaho 2001), which held that the Clean Water Act extends federal jurisdiction over groundwaters hydrologically connected to surface waters that are themselves navigable waters.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. NPDES regulations establish two principal bases for

effluent limitations. At 40 CFR 122.44 (a) permits are required to include applicable technology-based limitations and standards; and at 40 CFR 122.44 (d) permits are required to include water quality-based effluent limitations (Water Quality Limitations) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to an excursion above a narrative criterion, Water Quality Limitations may be established using one or more of three methods described at 40 CFR 122.44 (d) - 1) Water Quality Limitations may be established using a calculated water quality criterion derived from a proposed State criterion or an explicit State policy or regulation interpreting its narrative criterion; 2) Water Quality Limitations may be established on a case-by-case basis using U.S. EPA criteria guidance published under CWA Section 304 (a); or 3) Water Quality Limitations may be established using an indicator parameter for the pollutant of concern.

A. Discharge Prohibitions

1. Prohibition III A. The discharge of any waste not specifically regulated by the Permit, excluding storm water regulated by General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities), is prohibited.

   This prohibition is retained from Order No. 01-006. Because limitations and conditions of this Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of this Order may not adequately address waste streams not contemplated during the process of writing the Order. To prevent the discharge of such waste streams that may be inadequately regulated, Order No. R3-2006-0012 prohibits the discharge of any waste that was not described to the Regional Board during the process of permit reissuance.

2. Prohibition III. B. Discharge of treated wastewater at a location other than Discharge Point 001 (35 ° 43 ' 51 " N Latitude and 120 ° 50 ' 21 " W Longitude), as described by this Order, is prohibited, unless the discharge is regulated by General Permit No. CAS000001 or another discharge permit.

   Order No. R3-2006-0012 recognizes and authorizes a single point of discharge to waters of the State and the United States. This prohibition reflects the CWA Section 402 prohibition against discharges of pollutants except in compliance with the Act's permit requirements, effluent limitations, and other enumerated provisions.

3. Prohibition III. C. The discharge of wastewater by seepage or percolation through units of the wastewater treatment system is prohibited.

   Shallow groundwater in the area of the facility's percolation/evaporation ponds is hydrologically connected to local surface water; i.e., although only a minimal amount of treated wastewater actually percolates to groundwater, that percolation is

essentially a discharge to surface water that must be regulated under the NPDES program like a direct discharge to surface water. Rather than imposing discharge limitations on that portion of treated wastewater flow routed to the percolation/evaporation ponds, the Regional Board is following the District's suggestion of prohibiting such a discharge. The Discharger has acknowledged the existing possibility of a discharge to surface water via hydrologically connected groundwater; and because the percolation/evaporation ponds currently provide much more evaporation than percolation, the Discharger has concurred that reinforcement/repair of the pond liners to prevent a discharge via percolation altogether is a reasonable means to address the situation. The Order establishes a schedule for compliance with this Discharge Prohibition III. C.

4. Prohibition III. D. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.

   The discharge of untreated or partially treated wastewater from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order.

5. Prohibition III. E. Creation of pollution, contamination, or nuisance, as defined by Water Code Section 13050 is prohibited.

   This prohibition has been retained from Order No. 01-006.

6. Prohibition III. F. The discharge shall not cause or contribute to adverse impacts to beneficial uses of water or to threatened or endangered species and their habitat.

   This prohibition has been retained from Order No. 01-006.

7. Prohibition III. G. Stormwater/surface drainage from the site of the wastewater treatment facilities shall be diverted away or otherwise excluded from treatment and storage lagoons.

   This prohibition was included in Order No. 01-006 as an Effluent Limitation and is retained in Order No. R3-2006-0012 as a Discharge Prohibition.

B. Technology-Based Effluent Limitations

1. Scope and Authority

The CWA requires that technology-based effluent limitations be established based on several levels of controls.

- Best practicable treatment control technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.

- Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and nonconventional pollutants.

- Best conventional pollutant control technology (BCT) represents the level of control from existing industrial point sources of conventional pollutants, including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the cost reasonableness of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.

- New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS for specific industrial categories. Where the U.S. EPA has not yet developed ELGs for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and U.S. EPA regulations at 40 CFR 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis. When BPJ is used, the permit writer must consider specific factors outlined at 40 CFR 125.3.

2. Applicable Technology-Based Effluent Limitations

At 40 CFR Part 133, the U.S. EPA has established the level of effluent quality attainable by secondary or equivalent wastewater treatment. The following standards from 40 CFR Part 133 are applicable to the Heritage Ranch Community Services District and are included in Order No. R3-2006-0012 as effluent limitations.

Summary of Technology-Based Effluent Limitations - Discharge Point 001

Parameter	Units	Effluent Limitation		
		Avg Monthly	Avg Weekly	Percent Removal
BOD_5	mg/L	30	45	85 [a]
TSS	mg/L	30	45	85 [a]

[a] The 30-day average percent removal shall not be less than 85 percent.

The inclusion of mass-based effluent limitations for BOD_5 and TSS in the Order reflect the preference for such limitations expressed by NPDES regulations at 40 CFR

122.45 (f). The intent of mass-based effluent limitations in NPDES permits is to prevent the use of dilution as a means to meet concentration-based limitations.

A daily maximum effluent limitation for settleable solids of 0.1 ml/L and monthly average and daily maximum effluent limitations for oil and grease of 10 and 20 mg/L, repsectively, have been retained from Order No. 01-006. These limitations are also typical standards of performance for secondary treatment facilities and are included as limitations for the Discharger's facility based on the best professional judgment of Regional Board staff.

The monthly average flow limitation of 0.4 mgd is retained from Order No. 01-006 and is intended to ensure that wastewater flows do not exceed the treatment facility's design capacity.

C. Water Quality-Based Effluent Limitations (Water Quality Limitations)

1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (d) (1) (i) require permits to include Water Quality Limitations for pollutants (including toxicity) that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

The Basin Plan identifies the following present and potential beneficial uses for the unnamed ephemeral drainage, which is the immediate receiving water for this discharge and is tributary to the Nacimiento River.

- Municipal and domestic supply
- Protection of recreation and aquatic life

Water quality criteria applicable to the receiving waters are included in the NTR and the CTR, which contain numeric criteria for 126 priority, toxic pollutants, and in the Basin Plan, which contains narrative and numeric criteria for several pollutants and pollutant parameters.

3. Determining the Need for Water Quality Limitations

NPDES regulations at 40 CFR 122.44 (d) require effluent limitations to control all pollutants which are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.

The SIP became effective on May 22, 2000 and establishes procedures to implement water quality criteria from the NTR and CTR and for priority, toxic pollutant objectives established in the Basin Plan. The implementation procedures of the SIP include methods to determine reasonable potential (for pollutants to cause or contribute to excursions above State water quality standards) and to establish numeric effluent limitations, if necessary, for those pollutants which show reasonable potential.

The SIP Section 1.3 requires the Regional Board to use all available, valid, relevant, and representative receiving water and effluent data and information to conduct a reasonable potential analysis. Here, the Discharger has collected and analyzed effluent samples for the CTR priority pollutants in February 2001, October 2001, January 2002, August 2002, and February 2003. No receiving water data for the CTR pollutants is available to perform the reasonable potential analysis.

Some freshwater water quality criteria for metals are hardness dependent; i.e., as hardness decreases, the toxicity of certain metals increases, and the applicable water quality criteria become correspondingly more stringent. For this reasonable potential analysis Regional Board staff has used a receiving water hardness concentration of 130 mg/L $CaCO_3$, based on data generated by the Regional Water Board's Central Coast Ambient Monitoring Program (http://www.ccamp.org/). Twelve samples collected between May 1, 1999 and February 1, 2000 showed hardness concentrations between 130 and 160 mg/L $CaCO_3$ in the Nacimiento River, downstream of Lake Nacimiento. Use of the lowest observed hardness concentration assures that water quality criteria for hardness dependent metals will be protective of all conditions in receiving waters.

To conduct the reasonable potential analysis, the Regional Water Board identified the maximum observed effluent (MEC) and background (B) concentrations for each priority, toxic pollutant from receiving water and effluent data provided by the Discharger and compared this data to the most stringent applicable water quality criterion (C) for each pollutant from the NTR, CTR, and the Basin Plan. Section 1.3 of the SIP establishes three triggers for a finding of reasonable potential.

Trigger 1. If the MEC is greater than C, there is reasonable potential, and an effluent limitation is required.

Trigger 2. If B is greater than C, and the pollutant is detected in effluent (MEC > ND), there is reasonable potential, and an effluent limitation is required.

Trigger 3. After review other available and relevant information, a permit writer may decide that a Water Quality Limitations is required. Such additional information may include, but is not limited to: the facility type, the discharge type, solids loading analyses, lack of dilution, history of compliance problems, potential toxic impact of the discharge, fish tissue residue data, water quality and

beneficial uses of the receiving water, CWA 303 (d) listing for the pollutant, and the presence of endangered or threatened species or their critical habitat.

The reasonable potential analysis for the Heritage Ranch Community Services District demonstrated reasonable potential for discharges from Outfall No. 001 to cause or contribute to exceedances of applicable water quality criteria for copper, mercury, and 4,4 - DDD. The following table summarizes the reasonable potential analysis for each priority, toxic pollutant that has been measured in effluent since February 2001. No other pollutants with applicable, numeric water quality criteria from the NTR, CTR, and the Basin Plan were measured above detectable concentrations during the five monitoring events conducted since February 2001.

Pollutant	C	MEC	B	RPA Result
Total Chromium	11 and 16 µg/L, freshwater aquatic life, chronic and acute criteria for Cr^{+6} from the CTR	10 µg/L (1/29/02)	No Data Available	No
Copper	12 and 18 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 130 mg/L $CaCO_3$	25 µg/L (2/4/03)		Yes (MEC > C)
Lead	4.4 and 114 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 130 mg/L $CaCO_3$	2.4 µg/L (2/4/03)		No
Mercury	0.05 µg/L, human health criterion from the CTR	0.07 µg/L (2/4/03)		Yes (MEC > C)
Nickel	65 and 586 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 130 mg/L $CaCO_3$	9 µg/L (2/4/03)		No
Silver	6.4 µg/L, freshwater aquatic life, acute criterion from the CTR based on receiving water hardness of 130 mg/L $CaCO_3$	3.0 µg/L (10/23/01)		No
Zinc	150 µg/L, freshwater aquatic life, acute criterion from the CTR based on receiving water hardness of 130 mg/L $CaCO_3$	90 µg/L (2/4/03)		No
Chloroform	No applicable criteria	11 µg/L (2/4/03)		No
4,4 - DDD	0.00059 µg/L – human health criterion from the CTR	0.03 µg/L (2/4/03)		Yes (MEC > C)

4. Water Quality Limitations Calculations

Final Water Quality Limitations for copper, mercury, and 4,4 - DDD have been determined using the methods described in Section 1.4 of the SIP.

Step 1: For each water quality criterion/objective, an effluent concentration allowance (ECA) is calculated from the following equation to account for dilution and background levels of each pollutant.

ECA = C + D (C - B), where

C = the applicable water quality criterion (adjusted for receiving water hardness and expressed as total recoverable metal, if necessary)
D = the dilution credit
B = the background concentration

Because no credit is being allowed for dilution, D = 0, and therefore, ECA = C.

Step 2: For each ECA based on aquatic life criterion/objective (copper), the long-term average discharge condition (LTA) is determined by multiplying the ECA times a factor (multiplier), which adjusts the ECA to account for effluent variability. The multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. When the data set contains less than 10 sample results (as for the Heritage Ranch Community Services District), or 80 percent or more of the data are reported as non-detect (ND), the CV is set equal to 0.6. Derivation of the multipliers is presented in Section 1.4 of the SIP.

From Table 1 of the SIP, multipliers for calculating LTAs at the 99th percentile occurrence probability are 0.321 (acute multiplier) and 0.527 (chronic multiplier). LTAs are determined as follows.

Pollutant	ECA		ECA Multiplier		LTA (µg/L)	
	Acute	Chronic	Acute	Chronic	Acute	Chronic
Copper	18	12	0.321	0.527	5.8	6.3

Step 3: Water Quality Limitations, including an average monthly effluent limitation (AMEL) and a maximum daily effluent limitation (MDEL) are calculated using the most limiting (the lowest) LTA. The LTA is multiplied times a factor that accounts for averaging periods and exceedance frequencies of the effluent limitations, and for the AMEL, the effluent monitoring frequency. Here, the CV is set equal to 0.6, and the sampling frequency is set equal to 4 (n = 4). The 99th percentile occurrence probability was used to determine the MDEL multiplier and a 95th percentile occurrence probability was used to determine the AMEL multiplier. From Table 2 of the SIP the MDEL multiplier is 3.11 and the AMEL multiplier is 1.55. Final Water Quality Limitations for copper are calculated as follows.

Pollutant	LTA	MDEL Multiplier	AMEL Multiplier	MDEL (µg/L)	AMEL (µg/L)
Copper	5.8	3.11	1.55	18	9.0

Step 4: When the most stringent water quality criterion/objective is a human health criterion/objective (mercury and 4,4 - DDD), the AMEL is set equal to the ECA, and the MDEL is calculated by multiplying the ECA times the ratio of the MDEL multiplier to the AMEL multiplier.

From SIP Table 2, when CV = 0.6 and n = 4, the MDEL multiplier at the 99th percentile occurrence probability equals 3.11, and the AMEL multiplier at the 95th percentile occurrence probability equals 1.55. Final Water Quality Limitations for mercury and 4,4 - DDD are determined as follows.

Pollutant	ECA	MDEL/AMEL Multiplier	AMEL (µg/L)	MDEL (µg/L)
Mercury	0.05	2.01 (3.11/1.55)	0.05	0.10
4,4 - DDD	0.00059	2.01	0.00059	0.00119

Order No. R3-2006-0012 retains Water Quality Limitations for pH (6.5 – 8.3) and nitrate (8 mg/L N) from Order No. 01-006. These limitations are based on water quality objectives established by the Basin Plan. Water Quality Limitations for coliform bacteria, TDS, sodium, and chloride are also retained from Order No. 01-006.

Order No. R3-2006-0012 also establishes a Water Quality Limitations for chlorine. The Regional Board views any chlorinated discharge as having the potential to contribute to an exceedance of the Basin Plan's narrative toxicity objective – all waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in human, plant, animal, or aquatic life. The U.S. EPA recommends a 4-day average (chronic) chlorine concentration of 0.01 mg/L for protection of fresh water aquatic life and a 1-hour (acute) concentration of 0.02 mg/L. [Quality Criteria for Water 1986 (The Gold Book), EPA 440/5-86-001 (May 1, 1986)]. These concentrations are, in effect, non-detectable concentrations by the common amperometric analytical method used for the measurement of chlorine; and therefore, the Regional Board has established a ND (not detected) level of chlorine as an effluent limitation for this discharge.

5. Whole Effluent Toxicity (WET)

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests - acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for (acute) toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are toxic to, or which produce detrimental physiological responses in human, plant, animal, or aquatic life. Survival of aquatic organisms in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge or for another control water.

Section 4.0 of the Basin Plan also requires a chronic toxicity limitation for all discharges that will cause, have the reasonable potential to cause, or contribute to chronic toxicity in receiving waters.

Order No. 01-006 did not include WET limitations but included receiving water limitations for both acute and chronic toxicity, expressed as follows.

> The discharge shall not cause acute or chronic toxicity conditions in the drainageway or the Nacimiento River. Acute toxicity is defined as less than 90 percent survival of test organisms, 50 percent of the time, or less than 70 percent survival, 10 percent of the time in undiluted effluent in 96-hour static or continuous flow tests. Chronic toxicity is defined as 100 / NOEL (No Observed Effect Level), where NOEL is the maximum percentage of test water that causes no observed effect on test organisms, using the following test methods.

Test Species	Effect	Test Duration
Fathead minnow (Pimephales promelas)	Larval survival	7 days
Water flea (Ceriodaphnia dubia)	Survival, number of young	7 days
Alga (Elanastrum capricornutum)	Growth rate	4 days

Order No. R3-2006-0012 is establishing an effluent limitation for acute toxicity only. The acute toxicity limitation requires survival of test organisms exposed to 100 percent effluent to not be significantly reduced, as determined by a t-test, when compared to the survival of control organisms. Due to the consistent, domestic nature of wastewater treated by the Discharger, the Regional Board has concluded that discharges will not cause, have the reasonable potential to cause, or contribute to chronic toxicity in receiving waters; and therefore, chronic toxicity limitations are not currently being established by the Order. A chronic toxicity-monitoring requirement is retained by Order No. R3-2006-0012.

The Discharger must maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that the acute toxicity limitation is exceeded in discharges from the wastewater treatment facility. When monitoring measures WET in the effluent above the limitations established by the Order, the Discharger must resample, if the discharge is continuing, and retest. The Executive Officer will then determine whether to initiate enforcement action,

whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures.

D. Final Effluent Limitations

Final effluent limitations for Discharge Point 001 are summarized below in the table and the bulleted text.

Parameter	Units	Effluent Limitation		
		Average Monthly	Average Weekly	Maximum Daily
Flow	mgd	0.4	-	-
BOD_5 [a]	mg/L	30	45	90
	lbs/day	100	150	300
	kg/day	45	68	136
TSS [a]	mg/L	30	45	90
	lbs/day	100	150	300
	kg/day	45	68	136
Settleable Solids	mls/L	-	-	0.1
Oil and Grease	mg/L	10	-	20
pH	stnd units	6.5 – 8.3 at all times		
Nitrate	mg/L (as N)	-	-	8.0
Chlorine	mg/L			ND [c]
Acute Toxicity	% survival			See below [d]
Copper [e]	µg/L	9.0	-	18
Mercury [e]	µg/L	0.05	-	0.10
4,4 – DDD [e]	µg/L	0.00059	-	0.0019

[a] BOD_5 = 5-day biochemical oxygen demand at 20° C
[b] TSS = total suspended solids
[c] ND = not detected by amperometric titration or an equally sensitive analytical method
[d] Survival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test, to the survival of control organisms.
[e] Final effluent limitations which become effective 4 years after adoption of this Order in accordance with the compliance schedules established by Section VI. C. 5 of the Order.

- The average monthly percent removal of BOD_5 and TSS through the wastewater treatment facility shall not be less than 85 percent.

- Treated wastewater shall be continuously disinfected so that the median number of total coliform bacteria in discharges from Discharge Point 001 shall not exceed 23 organisms per 100 milliliters (mls), as determined from the last seven days for which analyses have been completed. The maximum number of total coliform organisms shall not exceed 2,400 organisms per 100 mls at any time.

- At least two feet of freeboard shall be maintained in the aerated lagoons, the effluent storage lagoon, and in the percolation beds at all times.

E. Interim Effluent Limitations

Pursuant to NPDES regulations at 40 CFR 122.47 and Section 2.1 of the SIP, Order No. R3-2006-0012 includes interim effluent limitations and schedules for compliance with final effluent limitations for copper, mercury, and 4,4 – DDD. Interim limits and compliance schedules are included following the Discharger's request and demonstration that it is infeasible to achieve immediate compliance with final effluent limitations based on water quality criteria of the CTR for these pollutants.

Interim numeric limitations for pollutants must be based on current treatment facility performance or on existing permit limitations, whichever are more stringent. In these circumstances, the three toxic pollutants were not previously limited, and therefore, interim limits are based on current plant performance; i.e., interim limits mirror the highest observed concentrations in plant effluent.

F. Land Discharge Specifications

This section of the standardized permit form is not applicable to the Heritage Ranch Community Services District.

G. Reclamation Specifications

This section of the standardized permit form is not applicable to the Heritage Ranch Community Services District.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

Receiving water quality is a result of many factors, some unrelated to the discharge. This Order considers these factors and is designed to minimize the influence of the discharge on the receiving water. Receiving water limitations within the proposed Order generally include the receiving water limitations of the previous Order; however these limitations have been supplemented and modified to reflect all applicable, general water quality objectives of the Basin Plan for inland surface waters; all applicable water quality objectives of the Basin Plan established specifically for the protection of municipal and domestic water supplies, agricultural water supplies, water contact and non-contact water recreation activities, and cold and warm freshwater and fish spawning habitats; and specific water quality objectives for the Nacimiento River from the Basin Plan.

Order No. 01-006 had included numeric receiving water limitations for seven metals (Cd, Cr, Cu, Pb, Hg, Ni, and Zn), taken from Table 3-5 (Toxic Metal Concentrations not to be Exceeded in Aquatic Life Habitats) of the Basin Plan. These limitations for the protection of aquatic life are not retained in Order No. R3-2006-0012 because freshwater aquatic life

criteria of the CTR are more stringent. Although applicable water quality criteria of the CTR are not listed in Order No. R3-2006-0012, pursuant to NPDES regulations at 40 CFR 122.44 (d), the Regional Board must include effluent limitations in NPDES permits for all pollutants, which are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including criteria from the CTR. So, although the numeric receiving water limitations for seven metals have not been retained by the reissued Order, receiving water is protected by the more stringent water quality criteria of the CTR. Effluent limitations will be established for any CTR pollutant present in the discharge at levels that will cause, have the reasonable potential to cause, or contribute to an excursion above applicable water quality criteria.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

40 CFR 122.48 requires all NPDES permits to specify recording and reporting of monitoring results. Water Code Sections 13267 and 13383 authorize the regional boards to require technical and monitoring reports. The Monitoring and Reporting Program, Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and State requirements. The following text provides the rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program for this facility.

A. Influent Monitoring

All influent monitoring requirements of Order No. 01-006 are retained in Order No. R3-2006-0012, except monitoring for seven metals (Cd, Cr, Cu, Pb, Hg, Ni, and Zn) is not retained. Order No. R3-2006-0012 requires monitoring for these metals in effluent, and receiving water so that compliance with effluent and receiving water limitations can be determined and/or so that the need for effluent limitations for these metals can be assessed.

Monitoring frequency for BOD_5 and TSS in influent, which allows determination of treatment removal efficiencies for these pollutants, has been increased from quarterly to monthly, as this is a fundamental measure of such a treatment system.

B. Effluent Monitoring

All effluent monitoring requirements are retained from Order No. 01-006 in Order No. R3-2006-0012, with the following exceptions/changes.

- Monitoring requirements for seven metals (Cd, Cr, Cu, Pb, Hg, Ni, and Zn) have not been retained; however, Order No. R3-2006-0012 requires monitoring one time during the permit term in effluent, for the CTR and Title 22 pollutants. These new monitoring requirements will ensure that monitoring in effluent will be conducted for those seven metals, which were explicitly named in the expiring MRP.

- Applicable receiving water criteria for this discharge include the fresh water aquatic life criteria from the CTR and the drinking water primary maximum contaminant levels (MCLs) established by the Department of Health Services at Title 22 of the

California Code of Regulations, Division 4, Chapter 15. Order No. R3-2006-0012 establishes monitoring requirements for the CTR and Title 22 pollutants in effluent, one time during the permit term, to ensure compliance with applicable water quality criteria and to determine the need for effluent limitations for these pollutants.

- To determine compliance with new effluent limitations established by the Order, Order No. R3-2006-0012 establishes routine (weekly) monitoring requirements for chlorine and routine (once per quarter) monitoring requirements for copper, mercury, and 4,4 – DDD.

- Order No. R3-2006-0012 increases the frequency of acute toxicity monitoring in effluent from one time during the permit term to one time per year to determine compliance with the Order's effluent limitation for acute toxicity. The chronic toxicity-monitoring requirement (one time during the permit term) is retained from Order No. 01-006.

C. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period, and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. This Order includes effluent limitations and monitoring requirements for acute toxicity; as well as monitoring requirements for chronic toxicity to determine compliance with the Basin Plan's narrative water quality objective for toxicity.

D. Receiving Water Monitoring

1. Surface Water

All receiving water monitoring requirements have been retained from Order No. 01-006; however, Order No. R3-2006-0012 also requires semi-annual monitoring for hardness in receiving water as well as monitoring for the CTR and Title 22 pollutants one time during the permit term to ensure compliance with applicable water quality criteria and to determine the need for additional effluent limitations.

E. Other Monitoring Requirements

Order No. R3-2006-0012 retains monitoring requirements for biosolids from Order No. 01-006.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which, in accordance with 40 CFR §§122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D to the Order.

B. Special Provisions

1. Reopener Provisions

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.

2. Toxicity Reduction Evaluation Workplan

The requirement to maintain a Toxicity Reduction Work Plan is retained from Order No. 01-006. When toxicity monitoring measures acute toxicity in the effluent above the limitation established by the Order, the Discharger is required to resample and retest, if the discharge is continuing. When all monitoring results are available, the Executive Officer can determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or whether other measures are warranted.

3. Discharges of Storm Water

Order No. R3-2006-0012 does not cover discharges of storm water from the treatment and disposal sites. Such discharges can be discharged only in accordance with applicable requirements of General Permit No. CAS000001 - Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities.

4. Biosolids Handling and Disposal

Provisions regarding sludge handling and disposal ensure that such activity will comply with all applicable regulations.

5. Compliance Schedules

Pursuant to NPDES regulations at 40 CFR 122.47, Order No. R3-2006-0012 includes a schedule for compliance with the Discharge Prohibition III. C, which prohibits the discharge of treated wastewater from the percolation/evaporation beds to groundwater that is hydrologically connected to surface water.

Pursuant to NPDES regulations at 40 CFR 122.47 and SIP Section 2.1, Order No. R3-2006-0012 also includes interim effluent limitations and schedules for compliance with

final effluent limitations for copper, mercury, and 4,4 – DDD. Interim limits and compliance schedules are included following the Discharger's request and demonstration that it is infeasible to achieve immediate compliance with final effluent limitations based on water quality criteria of the CTR for these pollutants.

Section 2.1 of the SIP, which addresses the discharge of toxics with water quality criteria established by the CTR, provides that, based on a discharger's request and demonstration that it is infeasible to achieve immediate compliance with effluent limitations, compliance schedules may be allowed in an NPDES permit. Unless an exception is granted pursuant to Section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that a permit is issued or reissued, and in no case may it extend beyond 10 years from the effective date of the SIP (or beyond May 18, 2010) to attain compliance with final effluent limitations. When a compliance schedule for an effluent limitation exceeds one year, the Order must include interim numeric limitations for that pollutant.

6. Posting

This requirement to provide notice of the discharge of treated wastewater is retained from Order No. 01-006.

7. Notice of Percolation/Evaportation Bed Use

This requirement to notify the Regional Board of the use of the percolation/evaporation beds is retained from Order No. 01-006.

8. Alternatives to Discharge to Surface Water

This requirement to pursue alternatives to the surface water discharge is retained from Order No. 01-006.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Central Coast Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the Heritage Ranch Community Services District Wastewater Treatment Plant. As a step in the WDR adoption process, the Regional Water Board staff has developed a draft WDR. The Regional Water Board encourages public participation in the WDR adoption process.

A. Notification of Interested Parties

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.

B. Written Comments

The staff determinations are tentative. Interested persons were invited to submit written comments concerning the tentative WDRs. Only the Discharger submitted written comments to the Executive Officer at the Regional Water Board by 5:00 p.m. on January 27, 2006. Those comments are paraphrased below, along with Regional Water Board staff responses:

Comment 1
The last paragraph on page F-3 should be revised to indicate that the typical operation involves flow through the storage lagoon.

Response to Comment 1
Staff agrees and the paragraph is revised to read as follows:

~~Chlorinated wastewater is pumped to the percolation ponds, or to the effluent storage lagoon from which all wastewater is discharged to the unnamed drainage (with a portion being treated by filtration prior to discharge.) Treated wastewater is typically diverted to the storage lagoon when the percolation ponds are full.~~

Chlorinated wastewater is pumped primarily to the effluent storage lagoon. From there, wastewater is discharged either to the percolation/evaporation ponds, or to the unnamed ephemeral drainage (with a portion being treated by filtration prior to discharge.)

Comment 2
Throughout the Permit, it should be clear that the "unnamed drainage way" does not normally contain naturally flowing water. Additionally, on page E-3 in the Monitoring Locations table, R-001 and R-002 should read, "when natural flow exists."

Response to Comment 2
Staff agrees and all references to the "unnamed drainage way" are revised to "unnamed ephemeral drainage way."

The descriptions contained in the "Monitoring Locations" table should stand, since they are common references indicating the upstream and downstream directions. The "upstream" and "downstream" directions are commonly interpreted independent of flow conditions. To allay the Discharger's concerns, a clarifying footnote "a" has been inserted into the MRP table. The footnote says:

"If there is no surface water to sample at a monitoring location, then the monitoring requirement cannot be fulfilled and a statement to that effect shall be reported."

Comment 3
Effluent chlorine should not be monitored at discharge point 001 because the drainage way does not have a live stream or aquatic life. If it must be monitored, the District requests a compliance period so that a dechlorination facility can be installed.

Response to Comment 3

Once Heritage Ranch releases effluent to the unnamed ephemeral drainage, the effluent becomes all or part of the ephemeral drainage's flowing surface water. Flowing surface water, regardless of the source, can contain aquatic life. Plant and animal organisms such as microscopic biology, algae, insects, and higher order plants and animals can colonize the surface water. Flowing surface water should not be unnaturally toxic to aquatic life. Heritage Ranch has responsibility for ensuring that it does not cause toxicity to the aquatic life of the unnamed ephemeral drainage, even if Heritage Ranch contributed all the drainage's flow. The purpose of the chlorine residual requirement is to protect aquatic life. Since chlorine is toxic to aquatic life, there must not be a chlorine residual from Heritiage Ranch's treatment process, even for a 500-foot segment of the unnamed ephemeral drainage.

Comment 4

The District requests that limitations not be placed on copper, mercury, and 4,4,-DDD. If limitations must be placed, they should be derived based on the hardness of the unnamed drainage way during flow conditions, not the hardness of the Nacimiento River. Also, the limitations are lower than laboratories can detect.

Response to Comment 4

Mercury and 4,4-DDD. Reasonable potential was found for these pollutants based on analysis of effluent samples collected on February 4, 2003. The following table shows, for each pollutant, the most stringent applicable water quality criterion; the detected concentration; the Practical Quantitation Limit (PQL) reported by the lab; and the Minimum Level (ML), which is the lowest concentration at which the SIP requires quantification. Practical Quantitation Limits, when reported by a lab, are the lowest concentrations that the lab can confidently quantify for a given sample.

Constituent	Most Stringent WQ Criterion µg/L	Measured Concentration (µg/L)	PQL (µg/L)	ML (µg/L)
Mercury	0.05 µg/L	0.07	0.01	0.2
4,4 - DDD	0.00059 µg/L	0.03	0.01	0.05

Here, the most stringent water quality criteria for mercury and 4,4 – DDD are lower than the MLs; i.e., the water quality criteria are at lower concentrations than what the District is required to quantify. The lab quantified these two pollutants at concentrations lower than the MLs, however, leading to a finding of reasonable potential for both pollutants.

Mercury and 4,4–DDD were clearly present in effluent on February 4, 2003, at concentrations that exceeded applicable water quality criteria; however, the District did

more rigorous analyses than what are required. The Regional Board can justify limits for these pollutants, as written in the current draft permit, or the Regional Board can require more analysis to determine if limits are necessary.

Because more data results in better understanding, especially when limited data is available, Regional Water Board staff recommends the second alternative. Accordingly, staff adjusted the compliance schedule to allow one year of quarterly sampling. After that year, if either pollutant is quantified above the applicable water quality criterion, then interim limits will become effective, and final limits will become effective in accordance with a compliance schedule. If quarterly analysis for one year does not quantify the pollutants above the water quality criteria, then the limits and compliance schedules do not become effective. As required by the monitoring and reporting program, the District should use the lowest possible PQLs, because the Regional Board does have a concern regarding the presence of these pollutants.

We believe that the detection of copper is reliable. Many POTWs detect copper. Copper probably comes from normal corrosion of copper piping within water distribution systems. As a result, many POTWs are now facing effluent limitations for copper, and the water quality criteria of the CTR have drawn attention to this issue. The water quality criterion for copper is very low and lower than any drinking water standard. Copper is very toxic to aquatic life.

Unlike mercury and 4,4-DDD, the toxicity of copper is hardness dependent and the Regional Board typically uses the lowest hardness value measured in the receiving water to determine reasonable potential. The only hardness data available to staff for the District's permit is from CCAMP, the Regional Board's Ambient Monitoring Program. That data includes hardness values from 12 samples collected in the Nacimiento River downstream of the reservoir.

The District discharges to an unnamed drainage that flows about four miles before joining the Nacimiento River. The District claims that using Nacimiento River hardness is less precise than using the hardness in the vicinity of the discharge. However, the District has not supplied that data. It is the intent of the District to obtain that data during the life of this proposed permit so that the matter of a copper effluent limit can be revisited. In the interim, the use of Nacimiento River hardness is the best substitute for actual data. Therefore, the proposed interim and final limits for copper will remain in place.

It should be noted that the interim limit will be effective for about four of the five years of the permit term, and the interim limit represents the highest level of copper that has been measured in effluent to date. Staff would also like to understand the time of year and frequency that flow in the unnamed drainage actually reaches the Nacimiento River. To generate sufficient copper data, the proposed monitoring and reporting program requires effluent copper monitoring two times per year, which will provide sufficient data

for revisiting the copper issue before the proposed permit expires. Hardness monitoring is also required in the receiving stream twice per year by the draft permit

Comment 5

The District wishes to perform acute toxicity testing at the downstream sampling station R-002 when there is natural stream flow, instead of at discharge point 001. Also, the Permit should not require chronic toxicity monitoring since it does not include a chronic toxicity limit. Also, the District requests a compliance schedule to allow the District time to comply with the requirement for a toxicity reduction evaluation workshop.

Response to Comment 5

Like its implementation of water quality criteria for toxic pollutants from the CTR, the Regional Board has adopted the position of measuring compliance with the Basin Plan's narrative water quality objective for toxicity (Chapter 3 of the Basin Plan, Section II. A. 2. a) at the end-of-pipe, instead of in the receiving stream after dilution can occur. The District's expiring permit reflects this position by requiring toxicity monitoring of effluent, not receiving water.

For POTWs, the Regional Board is applying an acute toxicity limitation at the end-of-pipe, and in accordance with SIP Section 4, establishes a chronic toxicity limitation when there is reasonable potential for a discharge to contribute to chronic toxicity in the receiving stream. Because the Regional Board does not see a reasonable potential for the discharge to contribute to chronic toxicity, a chronic toxicity limit is not being established. However, a minimal chronic toxicity monitoring frequency of one time during the permit term is being established to allow an on-going assessment of reasonable potential for chronic toxicity.

The toxicity requirements that the Regional Board is establishing in its NPDES permits are, therefore, an acute toxicity limitation and monitoring to determine compliance with that limitation, and chronic toxicity monitoring to assess the need/reasonable potential for a discharge to contribute to chronic toxicity in the receiving stream. Practically, these requirements minimize the burden for dischargers, because acute toxicity testing is a less expensive pass/fail test, and chronic toxicity testing is more time consuming and costly.

The District's draft permit, with annual acute toxicity monitoring and chronic toxicity monitoring one time during the permit term, represents about the minimal monitoring frequencies that are being written into Central Coast NPDES permits for POTWs. Staff acknowledges that the draft permit increases the monitoring frequency for acute toxicity from one time during the permit term to an annual requirement; however, Regional Water Board staff believes that the increased frequency is the minimum that provides some meaningful compliance monitoring.

Regarding the requirement to prepare a Toxicity Reduction Evaluation Workplan, and because the facility is a small POTW treating just domestic influent, it is reasonable to

provide a compliance schedule allowing the District time to comply with the requirement for a toxicity reduction evaluation workplan. Staff added a compliance schedule providing the District one year to prepare a toxicity reduction evaluation workplan.

Comment 6
On Pages 18 and 19, Section A is the same as section H.

Response to Comment 6
Section H is redundant and is deleted.

Comment 7
The Regional Board is requiring us to line our percolation beds even though it is not visually apparent the percolated wastewater flows to the unnamed drainage. The District would rather monitor flow from the percolation beds to confirm a connection with the unnamed drainage, or investigate and develop options other than percolation to dispose of wastewater.

Response to Comment 7
Ponded water exists in the unnamed drainage, downgradient from the percolation ponds. The source of the ponded water is either natural or percolation pond effluent. District personnel have commented that the ponded water level correlates with percolation pond use. District previously commented that water in the unnamed drainage is rare. Therefore, it seems highly likely that ponded water in the drainage comes from the percolation ponds.

The proposed order allows time to remedy the percolation pond matter. The remedy could include any of the District's proposed responses; monitor groundwater to prove/disprove hydraulic connection, or eliminate the perc beds.

Comment 8
The District wishes to continue using its current "downgradient" monitoring well.

Response to Comment 8
After discussion with the District and studying the matter, Regional Water Board staff learned that the District's "downgradient" monitoring well does not appear to be located down gradient since it is located in another drainage. Regional Water Board staff also discerned that the discharge does not occur over a Basin Plan delineated groundwater basin. Additionally, the unnamed ephemeral drainage flows over competent bedrock in the discharge point's vicinity. Eventually, surface flow either evaporates or goes subsurface through less competent bedrock and may enter the Paso Robles Groundwater Basin. The Paso Robles Groundwater Basin is located several miles downstream. However, if the discharge does not degrade the surface water quality, then that surface water should not degrade the groundwater basin it eventually reaches. . Consequently, groundwater monitoring is not warranted. Therefore, groundwater limits and monitoring have been deleted from the proposed permit.

Comment 9
The monitoring and reporting program should explicitly state that monitoring for TDS, sodium, chloride, and nitrate will occur in January and July.

Response to Comment 9
Regional Water Board staff does not object and has revised the Order to explicitly state that monitoring for TDS, sodium, chloride, and nitrate will occur in January and July.

Comment 10
The Permit should not include the 200 mg/L TDS limit for the Nacimiento River if such a limit is met at the downstream receiving water sampling station R-002.

Response to Comment 10
The 200 mg/L is our Basin Plan's TDS objective for the Nacimiento River. Appropriately, we must insist on that limit. However, the District will monitor at R-002. If the discharge meets the limit at R-002, then it will meet the 200 mg/L receiving water limit. In essence, the proposed Permit already implement the District's comment.

Comment 11
The final effluent limitation for nitrate should be explicitly expressed as "Nitrate (as N)"

Response to Comment 11
Regional Water Board does not object and has revised the Order to include a footnote explicitly expressing "Nitrate (as N)."

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date:	March 24, 2006
Time:	8:30 a.m.
Location:	Central Coast Water Quality Control Board 895 Aerovista Place, Suite 101 San Luis Obispo, CA 93401

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address is http://www.waterboards.ca.gov/centralcoast/ where you can access the current agenda for changes in dates and locations.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling 805-549-3147.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDR and NPDES permit should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this order should be directed to Tom Kukol at 805-549-3689 (phone), tkukol@waterboards.ca.gov (e-mail) or David Athey at 805-542-4644, dathey@waterboards.ca.gov.

ATTACHMENT G - ELEMENTS OF THE WASTEWATER COLLECTION SYSTEM MANAGEMENT PLAN

The Discharger is encouraged to use its existing programs or practices to address the Management Plan elements listed below. Where the Discharger determines that an element does not apply to its collection system, the Discharger shall provide in the appropriate section of its Management Plan the rationale for omitting the element.

I. **Goals:** The goal of the Wastewater Collection System Management Plan is to prevent overflows and to provide a plan and schedule for implementation of measures to prevent overflows.

II. **Organization:** The Wastewater Collection System Management Plan must identify the following components:

A. Administrative and maintenance positions responsible for implementing measures in the Wastewater Collection System Management Plan program, including lines of authority by organization chart or similar document; and

B. The chain of communication for reporting overflows, from receipt of a complaint or other information, including the person responsible for reporting overflows to the Central Coast Regional Water Quality Control Board, Santa Barbara County Health Department, and the State Office of Emergency Services (OES).

III. **Legal Authority:** The Wastewater Collection System Management Plan shall include or make reference to legal authority, through sewer use ordinances, service agreements, or other legally binding procedures, to:

A. Control infiltration and connections from inflow sources, including satellite systems;

B. Require that sewers and connections be properly designed and constructed;

C. Ensure proper installation, testing, and inspection of new and rehabilitated sewers (such as new or rehabilitated collector sewers and new or rehabilitated service laterals within the Discharger's jurisdiction); and,

D. Limit fats and greases and other debris that may cause blockages in the collection system.

IV. **Measures and Activities:** In order to reduce overflows, the Wastewater Collection System Management Plan must address the elements listed below that are appropriate and applicable to the Discharger's system and identify the person or position in the organization responsible for each element.

A. Provide adequate operation and maintenance of facilities and equipment.

B. Maintain an up-to-date map of the collection system showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and storm water conveyance facilities.

C. Maintain relevant information to establish and prioritize appropriate Wastewater Collection System Management Plan activities (such as the immediate elimination of dry weather overflows or overflows into sensitive waters, such as public drinking water supplies and their source waters,

swimming beaches and waters where swimming occurs, shellfish growing areas, waters within Federal, State, or local parks, and water containing threatened or endangered species or their habitats), and identify and illustrate trends in overflows, such as frequency and volume.

D. Routine preventive operation and maintenance activities by staff and contractors; including a system for scheduling regular maintenance and cleaning of the collection system with more frequent cleaning and maintenance targeted at known problem areas as well as a tracking system for work orders.

E. Identify and prioritize structural deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. This shall include a rehabilitation plan including schedules for the entire system. As with the preventative maintenance program, sewer rehabilitation and replacement is crucial for the prevention of spills. Among the provisions that should be specified in this section is the need to direct rehabilitation and replacement of sewer pipes which are at risk of collapse or prone to more frequent blockages due to pipe defects. The plan should also include regular visual and video inspection of sewer pipes and a system for assessing and ranking the condition of sewer pipes. Finally, the rehabilitation and replacement plan should include a financial plan that properly manages and protects the infrastructure assets. The actions outlined above shall be coordinated with the requirements for Infiltration/Inflow and Spill Prevention contained in Order Section VI.C.1.b, *Wastewater Collection System Requirements*.

F. Provide training on a regular basis for staff in collection system operations, maintenance, and monitoring, and determine if contractors' staffs are appropriately trained (e.g., through performance standards in contracts, proper licensing, or other recognized means of demonstrating appropriate competency).

G. Provision of equipment and replacement parts inventories, including identification of critical replacement parts.

H. Establish an implementation plan and schedule for a public education outreach program that promotes proper disposal of grease and fats.

I. Establish a plan for responding to overflows from private property that discharge to public right of ways and storm drains, to prevent discharges from overflows to surface waters and storm drains.

J. Develop a plan and a schedule for providing an analysis of alternative methods of disposal for grease and fats, and an implementation plan and schedule for providing adequate disposal capacity for grease and fats generated within the wastewater collection system service area. For example, this plan may include an evaluation of the feasibility of using sludge digesters at the Treatment Facility for grease disposal and treatment, recycling, rendering, and other disposal alternatives.

K. Describe fiscal resources necessary to ensure system operation, including fee structure, fiscal resources, actual and projected five-year budget expenses for staffing, operation, capital improvement projects, and reserves.

L. Describe staffing available to ensure system operation (identifying individuals and titles) including developing, implementing, and revising the Wastewater Collection System Management Plan. Include an organizational chart, duties, and training frequency.

V. Design and Performance Provisions

A. Develop and/or adopt design and construction standards and specifications for the installation of new sewer systems, pump stations, and other appurtenances; and for rehabilitation and repair of existing sewer systems; and

B. Develop and/or adopt procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances, and for rehabilitation and repair projects.

VI. Monitoring, Measurement, and Plan Modifications

A. Monitor the implementation and, where appropriate, measure the effectiveness of each element of the Wastewater Collection System Management Plan;

B. Update program elements, as appropriate, based on monitoring or performance evaluations; and

C. Modify the Wastewater Collection System Management Plan program, as appropriate, to keep it updated and accurate and available for audit at all times.

VII. Overflow Emergency Response Plan: The Discharger shall develop and implement an Overflow Emergency Response Plan that identifies measures to protect public health and the environment. At a minimum, this plan should provide for the following actions.

A. Ensure proper notification procedures so that the primary responders are informed of all overflows in a timely manner (to the greatest extent possible).

B. Ensure that all overflows are appropriately responded to, including ensuring that reports of overflows are immediately dispatched to appropriate personnel for investigation and appropriate response.

C. Ensure immediate notification of health agencies and other impacted entities (e.g., water suppliers) of all overflows. The plan should provide for the reporting of overflows to the Central Coast Water Board, Santa Barbara County Health Department, the District, and the State Office of Emergency Services (OES) in accordance with each agency's policy. The Wastewater Collection System Management Plan should identify the public health agency and other officials who will receive immediate notification.

D. Ensure that appropriate staff and contractor personnel are aware of and follow the plan, and are appropriately trained.

E. Provide emergency operations, such as traffic and crowd control, and other necessary emergency response.

F. Take all reasonable steps to contain sewage, prevent sewage discharges to surface waters, and minimize or correct any adverse impact on the environment resulting from the overflows, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

G. Develop and implement a plan to respond in a timely manner to spills and other emergencies. Collection system staff should be able to initiate a response to a sewage spill in less than an hour from the first call. The Discharger should be capable of meeting this response time day or night, every day of the week. The Discharger must own or have ready access to spill and emergency response equipment such as vacuum trucks, hydroflushers, pumps, temporary bypass hoses, and portable generators of adequate number and capacity to operate pump stations.

H. Describe offsite and onsite alarm systems, response times, and methods for detecting spills from the system,

VIII. **Source Control Program:** Prepare and implement a grease, fat, and oil source control program to reduce the amount of these substances discharged to the wastewater collection system. This plan shall include the legal authority to prohibit discharges to the system and identify measures to prevent overflows caused by fat, oil, and grease blockages of sewers. The elements of an effective grease control program may include requirements to install grease removal devices (such as traps or, preferably, interceptors), design standards for the removal devices, maintenance requirements, Best Management Practices (BMP) requirements, record keeping, and reporting requirements. An effective grease control program must also include authority to inspect grease producing facilities, enforcement authorities, and sufficient staff to inspect and enforce the grease ordinance.

A. The grease control program shall identify sections of the wastewater collection system subject to grease blockages and establish a cleaning maintenance schedule for each section; and,

B. The program shall develop and implement source control measures, for all sources of grease and fats discharged to the wastewater collection system, for each section identified in (A) above.

IX. **System Evaluation and Capacity Assurance Plan:** Prepare and implement a capital improvement plan that will provide hydraulic capacity of key wastewater collection system elements under peak flow conditions. At a minimum, the plan must include:

A. **System Evaluation** - Evaluate current capacity of the wastewater collection system, including any existing diversions of urban runoff to the collection system and those portions of the collection system which are experiencing or contributing to an overflow discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from overflows that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity), and the major sources that contribute to the peak flows associated with overflow events;

B. **Capacity Enhancement Measures** - Establish a short- and long-term capital improvement program to address deficiencies including prioritization, alternatives analysis, schedules, diversions of urban runoff to the wastewater collection system during dry weather periods, and control of infiltration and inflow during both wet weather events and dry weather periods; and

C. **Plan Updates** - At a minimum, the plan must be updated annually to describe any significant change in proposed actions and/or implementation schedules. The updates should include available information on the performance of measures that have been implemented.

X. **Annual Plan Updates:** As part of the Wastewater Collection System Management Plan, the Discharger shall conduct an internal audit, appropriate to the size of the system and the number of overflows, and submit a report of such audit (in conjunction with the annual report specified in the

MRP), evaluating the Wastewater Collection System Management Plan and its compliance with this subsection, including its deficiencies and steps to correct them.

XI. **Time Schedule / Communications:** The Discharger should communicate at least annually with interested parties such as the Central Coast Water Board and the San Luis Obispo County Health Department, on the implementation and performance of its Wastewater Collection System Management Plan. The communication system should allow interested parties to provide input to the Discharger as the program is developed and implemented. The Discharger shall develop and implement the Wastewater Collection System Management Plan according to the following schedule:

MANAGEMENT PLAN DEVELOPMENT SCHEDULE

Task	Completion Date
Legal Authority (Part III)	March 24, 2007
Measures and Activities (Part IV)	March 24, 2007
Overflow Emergency Response Plan (Part VII)	March 24, 2007
Design and Performance Provisions (Part V)	July 1, 2007
Capacity Evaluation (Part IX)	July 1, 2007
Source Control Program (Part VIII)	March 24, 2008
Final Wastewater Collection System Management Plan	March 24, 2008

ATTACHMENT H – CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CONTACT INFORMATION

Executive Officer
Central Coast Regional Water
Quality Control Board (3)
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
Ph (805) 549-3147, FAX (805) 543-0397

Updates can be found at http://www.waterboards.ca.gov/regions.htm

ATTACHMENT I -- SEWAGE OVERFLOW REPORT

(INCLUDE ALL AVAILABLE DETAILS (USE ATTACHMENTS AS NEEDED) – SUBMIT FOLLOW-UP WRITTEN REPORTS AS NECESSARY)

Reporting Party			Phone / FAX		
Discharger			Phone / FAX		
Disch. Address			City		
Overflow Date		Time Reported to Responding Agency	Time Overflow Began		Time Overflow Ended
Overflow Volume (Gallons)			Overflow Path		
Location/Address of Overflow Origin (or nearest cross streets)					
Waterbodies Affected (incl. storm drain terminus), and note whether samples and observations were taken upstream and downstream of discharge point					
Overflow Cause (e.g., grease, roots, vandalism, pump station failure, etc.)					

Action Taken To Stop Overflow (e.g., blockage clearing, impounding, etc.)			
Time Cleanup Began		Time Cleanup Complete	
Discussion Of Cleanup (e.g., hydro-vac., disinfection, etc.)			
Were Public Health Warnings Posted, and if so, where?		Number of overflows in same location in last three years	
If other overflows occurred at this location in last three years, provide the last two dates that insp. or maint. was conducted, and describe the actions taken			
Discussion of action taken to prevent overflows at this location (e.g., increased insp./maint. frequency, public outreach, enforcement, line upgrades or related repairs, etc)			

Agencies Notified (Please Check)		County Env. Health		Office of Emergency Services		Fish and Game		County Board Of Supervisors	Others (List)

Is information pending that will be provided in a supplemental report?		Were pictures taken (during initial response, cleanup, and/or in observing the discharge to the waterbody)?	
Signature / Printed Name / Title		Date	

Date _____

California Regional Water Quality Control Board
Central Coast Region
Attn: Monitoring and Reporting Review Section
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Mr. Briggs:

Facility Name: _____

Address: _____

Contact Person: _____
Job Title: _____
Phone Number: _____

WDR/NPDES Order Number: _____

Type of Report (circle one): Monthly Quarterly Semi-Annual Annual

Month(s) (circle applicable months*): JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

*Annual Reports (Circle the first month of the reporting period)

Year: _____

Violation(s) (Place an X by the appropriate response): ____No (there are no violations to report) ____Yes

If 'Yes' is marked, complete a-g:

a) **Parameter(s) in Violation:** _____

b) **Section(s) of WDR/NPDES Violated:** _____

c) **Reported Value(s):**

d) **WDR/NPDES Limit or Condition:**

e) **Dates of Violation(s):**
(reference page of report/data sheet)

f) **Explanation of Cause(s):**
(attach additional information as needed)

g) **Corrective Action(s):**
(attach additional information as needed)

In accordance with the Standard Provisions and Reporting Requirements, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system, or those directly responsible for data gathering, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

If you have any questions or require additional information, please contact me at the number provided above.

Sincerely,

_____

Name:

Title: